

**IN THE HIGH COURT FOR THE STATE OF TELANGANA  
AT HYDERABAD**

**WEDNESDAY, THE ELEVENTH DAY OF DECEMBER  
TWO THOUSAND AND TWENTY FOUR**

**PRESENT**

**THE HONOURABLE THE CHIEF JUSTICE ALOK ARADHE**

**ARBITRATION APPLICATION NO: 258 OF 2024**

**Between:**

1. Mr. M.A. Muneem, S/o Late Mohammed Abdul Raheem Age. 71 years Occ. Business, R/o. 5-8-323/1 to 5, Nampally Station Road, Nampally, Hyderabad 500001.
2. Mr. M.A. Shameem, S/o Mohammed Abdul Muneem Age. 51 years Occ. Business, R/o 5-8-323/1 to 5, Nampally Station Road, Nampally, Hyderabad 500001.
3. Mr. M.A. Waseem, S/o Mohammed Abdul Muneem Age. 49 years Occ. Business R/o 5-8-323/1 to 5, Nampally Station Road, Nampally, Hyderabad 500001.
4. Mr. M.A. Hateem, S/o M.A. Muneem Age. 48 years Occ. Business R/o. 5-8-323/1 to 5, Nampally Station Road, Nampally, Hyderabad 500001.
5. Mr. M.A. Multazeem, S/o Mohammed Abdul Muneem, Age. 46 years Occ. Business R/o 5-8-323/1 to 5, Nampally Station Road, Nampally, Hyderabad 500001.
6. Mrs. Khalida Begum, W/o Mohammed Abdul Muneem, Age. 70 years Occ. Household duties, R/o. 5-8-323/1 to 5, Nampally Station Road, Nampally, Hyderabad 500001.
7. Mrs Zohra Shameem, W/o Mohammed Abdul Shameem, Age. 44 years Occ. Household duties R/o 5-8-323/1 to 5, Nampally Station Road, Nampally, Hyderabad 500001.
8. Mrs. Ummul Salma, W/o Mohammed Abdul Waseem Age. 48 years Occ. Household duties R/o 5-8-323/1 to 5, Nampally Station Road, Nampally, Hyderabad 500001.
9. Mrs. Seema, W/o Mohammed Abdul Hateem Age. 40 years Occ. Household duties R/o 5-8-323/1 to 5, Nampally Station Road, Nampally, Hyderabad 500001.
10. Mrs. Reema, W/o Mohammed Abdul Multazeem Age. 40 years Occ. Household duties R/o 5-8-323/1 to 5, Nampally Station Road, Nampally, Hyderabad 500001.

**...Petitioners**

**AND**

1. M/s Bansal's Dresses, Represented by its Proprietor Mr. Virender Kumar Bansal S/o Late Sri Radheshyam Bansal, Shop No. LG-17, City Centre Mall, Road No. 1 and 10, Banjara Hill, Hyderabad.

...Respondent

Arbitration Application filed under Section 11(6) of Arbitration & Conciliation Act, 1996 praying that for the reasons stated in the accompanying affidavit, this Hon'ble Court may be pleased to appoint a Sole Arbitrator for the purpose of adjudication of the disputes that have arisen between the Petitioners and the Respondents in respect of the terms of the lease agreement dated 16/01/2015.

**Counsel for Applicants : Ms. V. Soubhagya Valli representing  
Mr. V. Seetharama Avadhani**

**Counsel for Respondent : None appeared**

**The Court made the following: ORDER**

**THE HON'BLE THE CHIEF JUSTICE ALOK ARADHE**

**ARBITRATION APPLICATION No.258 of 2024**

**ORDER:**

Ms. V. Soubhagya Valli, learned counsel represents Mr. V. Seetharama Avadhani, learned counsel for the applicants.

2. None has appeared on behalf of the respondent though served.

3. This application is filed under Section 11(6) of the Arbitration and Conciliation Act, 1996 seeking appointment of an arbitrator to resolve the disputes between the parties.

4. Facts giving rise to filing of this application briefly stated are that the parties have entered into a lease agreement on 16.01.2015. Clause XVII of the aforesaid agreement contains an arbitration clause, which is extracted below for the facility of reference:



**"XVII. DISPUTE RESOLUTION MECHANISM:**

The lease deed shall be construed and governed by the laws of India.

The civil Courts in Hyderabad shall have exclusive jurisdiction for matter relating to this agreement including Arbitration proceedings.

In the event of any dispute, claim or controversy arising out of or relating to this lease, the parties agree that within 15 days of such dispute, claim or controversy arising the will be preferred to one or more senior officers (or the equivalent) of each party to attempt a mutually agreeable resolution. If both the parties do not reach a mutually agreeable resolution within 15 days of the expiry of the aforesaid 15 days period, the parties shall seek arbitration of such dispute, claim or controversy as follows.

Such dispute claim or controversy between the parties relating to this lease and/or arising out of this lease transaction shall referred to the sole arbitrator to be mutually appointed failing which to be appointed by the Court in accordance with the provisions of the Arbitration and Conciliation Act, 1996 and Rules made there under. The decision of arbitrator shall be final and binding on the both parties.

The arbitration shall be conducted in accordance with the Arbitration and Conciliation Act, 1996 and the venue of arbitration shall be at Hyderabad.

All the rights and obligations of the lessee and lessor will continue during the period of arbitration."

5. The dispute between the parties has arisen. Therefore, the applicants invoked the arbitration clause and sent a notice under Section 21 of the aforesaid Act on 13.07.2024. The respondent did not respond to the aforesaid notice. Thereafter, this application has been filed.

6. I have heard the learned counsel for the applicants.

7. From a perusal of the record, it is evident that the parties have entered into a lease agreement which contains an arbitration clause. The dispute has arisen between the parties which requires resolution in the manner agreed to by the parties.

8. Therefore, Mr. C.Hare Krishna Bhupathi, former Principal District and Sessions Judge at L.B.Nagar, Ranga Reddy District (resident of Flat No.203, Laxmi Residency, Road No.9, New Nagole Colony, Lane

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besides Union Bank of India, Nagole Branch, Ranga Reddy District), is appointed as sole arbitrator to adjudicate the dispute between the parties.

9. Accordingly, the arbitration application is allowed.

Miscellaneous applications pending, if any, shall stand closed. No order as to costs.

Sd/-A.V.S.S.C.S.M. SARMA  
JOINT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. Mr. C. Hare Krishna Bhupathi, former Principal District and Sessions Judge at L.B.Nagar, Ranga Reddy District (resident of Flat No. 203, Laxmi Residency, Road No. 9, New Nagole Colony, Lane besides Union Bank of India, Nagole Branch, Ranga Reddy District) **(By Special messenger) (along with a copy of affidavit and material papers)**
2. One CC to Mr. V. Seetharama Avadhani, Advocate [OPUC]
3. Two CD Copies

Njb/gh

*[Handwritten signature]*

**HIGH COURT**

**DATED:11/12/2024**



**ORDER**

**ARBAPPL.No.258 of 2024**

**ALLOWING THE ARBITRATION APPLICATION**

*Scopred  
Fr  
20/12/24*