

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

FRIDAY, THE SIXTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HON'BLE THE CHIEF JUSTICE ALOK ARADHE

ARBITRATION APPLICATION No: 268 of 2024

Between:

Murali Krishna Singathi, S/o. Sri Sathaiah Singathi, Age: 43 years, Occ: Private Employee, R/o. H.No.5-17, Kasireddy, Palli, Budhakhurd, Bellampalli, Adilabad, Telangana - 504251.

...APPLICANT/PETITIONER

AND

1. Pamayyagari Parameshwari, W/o. Late Pamayyagari Sathyanarayana, Age: 59 years, Housewife, R/o. H.No.1-9-278/5/2/2, Balaji Nagar, Near Venkateswara Temple, Ramnagar Gundu, Hyderabad 500044, Telangana State.
2. Pamayyagari Ramachander Goud, S/o. P. Arjun Goud, Age: 66 years, Occ: cultivation, R/o. H.No.6-12, Tellapur 502302, Telangana State.
3. Pamayyagari Pradeep Goud, S/o. P. Ramachander Goud, Age: 35 years, Occ: cultivation, R/o. H.No.6-12, Tellapur 502302, Telangana State.
4. Pamayyagari Hari Krishna Goud, S/o. Late Pamayyagari Arjun Goud, Age: 66 years, Occ: cultivation, R/o. H.No.6-11, Tellapur - 502302, Telangana State.
5. Pamayyagari Pandu Goud, S/o. Late P. Gurulingam Goud, Age: 79 years, Occ: cultivation, R/o. H.No.4-29, Tellapur 502302, Telangana State.
6. Pamayyagari Bhoopal Goud, S/o. Sri. P. Panda Goud, Age: 47 years, Occ: cultivation, H.No.4-29, Tellapur 502302, Telangana State.
7. Pamayyagari Venu Goud, S/o. Sri. P. Pandu Goud, Age: 43 years, Occ: cultivation, R/o. Beside Hanuman Temple, Tellapur 502302, Telangana State.
8. Sri. Pamayyagari Karan Goud, S/o. Sri. (late) P. Gurulingam Goud, Age: 66 years, Occ: Cultivation, H.No.4-30, Tellapur 502302, Telangana State.
9. Pamayyagari Sridhar Goud, S/o. Sri. P. Karan Goud, Age: 44 years, Occ: cultivation, H.No.4-57 /4, Near Pochamma Temple, Tellapur 502302, Telangana State.
10. Pamayyagari Arun Goud, S/o. Sri. P. Karan Goud, Age: 43 years, Occ: cultivation, R/o. H.No.3-54/2A, Hanuman Temple, Tellapur 502302, Telangana State.

11. Pamayyagari Santosh Goud, S/o. Sri. P. Karan Goud, Age: 41 years, Occ: cultivation, R/o. H.No.4-30, Tellapur, Telangana State.
12. PAMAYYAGARI MEGHANATH GOUD, S/o. Sri (Late) P. Narayana Goud, Age: 56 years, Occ: Cultivation, R/o. H.No.4-20, Tellapur 502302, Telangana State.
13. PAMAYYAGARI NISHANTH GOUD, S/o. Meghanath Goud, Age: 30 years, Occ: Cultivation, R/o. H.No.4-20, Tellapur 502302, Telangana State.
14. Sri PAMAYYAGARI VISHAL GOUD, S/o. Sri Meghanath Goud, Age: 28 years, Occ: Cultivation, H.No.4-20, Beside Hanuman Temple, Tellapur 502302, Telangana State.
15. Sri Pamayyagari Narsing Rao (Baba Goud), S/o. Sri. (late) Pamayyagari Venkat, Age: 63 years, Occ: Cultivation, resident of R/o. 9-3/1, Ramachandrapuram, Tellapur, Sanga Reddy District, Telangana state.
16. Sri Pamayyagari Harish Goud, s/o. Sri. P. Narsing Rao Goud, Age: 36 years, Occ: Cultivation, resident of R/o. 9-3/1, Ramachandrapuram, Tellapur, Sanga Reddy District, Telangana state.
17. Sri Pamayyagari Avinash Goud, s/o. Sri. P. Narsing Rao Goud, Age: 32 years, Occ: Cultivation, R/o. 9-3/1, Ramachandrapuram, Tellapur, Sanga Reddy District, Telangana state.
18. Sri Pamayyagari Surender Goud, s/o. Sri. (late) Pamayyagari Venkat Krishnaiah Goud, Age: 50 years, Occ: Cultivation, R/o. 9-3/1, Ramachandrapuram, Tellapur, Sanga Reddy District, Telangana state
19. SAHITI CONSTRUCTIONS, a registered Partnership Firm having its principal place of business at Plot No.1222, H.No.8-2-293/82/A/1222/F4, Fourth Floor, Road No.36, Jubilee Hills, Hyderabad 500 033, Telangana State, represented by its Partner, Smt. B. Parvathi, W/o B Lakshmi Narayana, Hyderabad 500081, Telangana State.

...RESPONDENTS

Arbitration Application filed under Section 11(6) of Arbitration and Conciliation Act, 1996 for the reasons stated in the accompanying affidavit, praying that High Court may be pleased to appoint a Sole Arbitrator to enter into reference and adjudicate upon the disputes and differences between the Petitioner and the Respondents 1 to 19 in respect of or arising of the Agreement of Sale dated 25-09-2019. Lest serious loss would ensue to me.

**Counsel for the Applicant: Ms. V. Soubhagya Valli, counsel representing
Mr. V. Seetharama Avadhani**

Counsel for the Respondents: None Appeared

The Court made the following: ORDER

THE HON'BLE THE CHIEF JUSTICE ALOK ARADHE

ARBITRATION APPLICATION No.268 of 2024

ORDER:

Ms. V.Soubhagya Valli, learned counsel representing Mr. V.Seetharama Avadhani, learned counsel for the applicant.

2. Office report indicates that notice issued to respondent No.1 has been served, whereas notice issued to respondent No.19 was returned as 'unclaimed' and notice issued to respondent Nos.2 to 18 was returned as 'refused'. Thus, the said respondents are deemed to be served. However, none appears on behalf of the respondents.

3. This application is filed under Section 11(6) of the Arbitration and Conciliation Act, 1996 seeking appointment of sole 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 an



Agreement of Sale dated 25.09.2019. Clause 'P' of the aforesaid agreement contains an arbitration clause, which is extracted below for the facility of reference:

"a) Any dispute arising between the parties hereto with respect to any matter under this agreement or touching upon the meaning construction or interpretation of any of the clauses herein, shall be referred to an arbitrator as per the law of arbitration, which may be in force and applicable. The venue of Arbitration and Jurisdiction for all purposes shall be Hyderabad alone."

5. The applicant sent legal notice dated 09.05.2023 to the respondents, but the respondents failed to respond to the aforesaid notice.

6. Dispute has arisen between the parties which requires resolution in the manner agreed to by the parties.

7. A Bench of this Court by an order dated 02.02.2024 passed in similar application being Arbitration Application No.156 of 2023 has appointed Dr. Justice Shameem Akther, a former Judge of this Court as sole arbitrator to adjudicate the dispute between the parties.

8. Therefore, in the instant case also, Dr. Justice Shameem Akther, a former Judge of this Court (resident of Flat No.6F, Sixth Floor, Mayfair Apartment, Block-B, H.No.8-2-269/3/MF/F-6, Road No.2, Banjara Hills, Sri Nagar Colony, Hyderabad-34; Mobile No.8331998534), 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/- M. VIJAYA BHASKER
JOINT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. Dr. Justice Shameem Akther, Former Judge, High Court for the State of Telangana, at Hyderabad (resident of Flat No.6F, Sixth Floor, Mayfair Apartment, Block-B, H.No.8-2-269/3/MF/F-6, Road No.2, Banjara Hills, Sri Nagar Colony, Hyderabad-34; Mobile No.8331998534) (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

kam/gh

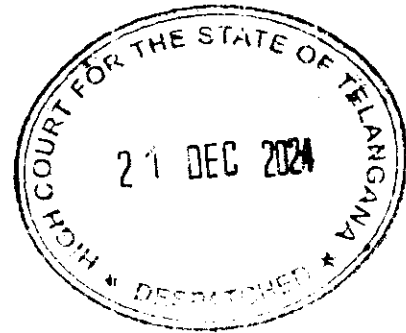
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HIGH COURT

DATED:06/12/2024

ORDER

ARBAPPL.No.268 of 2024



**ALLOWING THE
ARBITRATION
APPLICATION**

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