

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: 250 of 2024

Between:

Sangaraju Murali Mohan Raju, S/o. Subba Raju, Age: 59 years, Occ: Pvt. Employee, R/o. Flat No. 302, Sri Satya enclave, Near TRC Bus Stand, Aravinda nagar, Cuddapah.

...Applicant/Petitioner

AND

Sahiti Infratec Ventures India Private Ltd., 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, 500 033, Telangana State, Represented by its Authorised Signatory Eathamokkala Bhaskar Naidu, S/o Pandurangaiah Naidu Eathamokkala,

...Respondent

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 adjudicate the disputes and differences between the Petitioner and the Respondent in respect of or arising of the Memorandum of Understanding dated 17-12-2021. Lest serious loss will ensure to me.

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

Counsel for the Respondent: None Appeared

The Court made the following: ORDER

THE HON'BLE THE CHIEF JUSTICE ALOK ARADHE

ARBITRATION APPLICATION No.250 of 2024

ORDER:

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

2. None appears 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 Memorandum of Understanding dated 17.12.2021. Clause 12 of the aforesaid Memorandum of Understanding contains an arbitration clause, which is extracted below for the facility of reference:

“In case of any dispute arise between the parties, have to settle amicable in the event of any failure to settle the dispute or difference shall be referred to the arbitrator and the arbitration proceedings will be conducted according to the provisions of the Indian Arbitration and Conciliation Act, 1996. The arbitration award will be binding upon the both the parties and final. The place of the arbitration will be at Hyderabad and proceedings will be in English.”

5. The applicant sent legal notice dated 22.05.2023 to the respondent, but the respondent 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 Arbitration Application No.156 of 2023 between the same parties 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

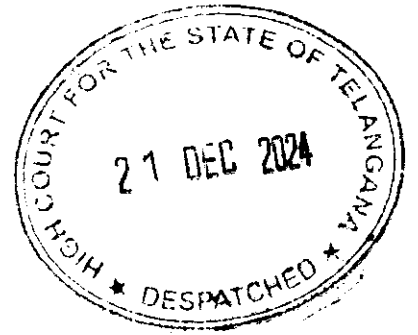
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HIGH COURT

DATED:06/12/2024

ORDER

ARBAPPL.No.250 of 2024



**ALLOWING THE
ARBITRATION
APPLICATION**

Scopes
FF
20/12/24