

HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE  
AND  
THE HON'BLE SRI JUSTICE S.V. BHATT

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Writ Appeal No.461 of 2015  
And  
Writ Petition No. 15124 of 2009

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DATED:07.07.2015

Writ Appeal No. 461 of 2015

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Between:  
Maytas Metro Ltd.,  
Hyderabad.

... Appellant

And

State of Telangana,  
Represented by its Principal Secretary  
Municipal Administration Department,  
Hyderabad and others.

....Respondents

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**PC:** (Per the Hon'ble the Acting Chief Justice Dilip B. Bhosale)

This writ appeal challenges the order dated 24.4.2015 passed in Review W.P.M.P. No. 17712 of 2015 in Writ Petition No. 15124 of 2009, whereby, the review petition filed by respondent No.1-the State of Telangana, was allowed after having considered the mode of dispute resolution provided in the Concession Agreement dated 19.9.2008.

On the last date of hearing, we made certain suggestions to the learned Advocate General appearing for the State of Telangana and the learned Advocate appearing for the appellant. In view of our suggestions, both the learned counsel have placed Memos on record. The Memo filed by learned Advocate General for the State of Telangana, dated 7.7.2015 states that if the dispute is not resolved amicably by conciliation, as provided for in the Concession Agreement, they have no objection for referring the dispute for arbitration, and in that event, they would like to nominate Sri V.V.S. Rao, retired Judge of the High Court of Andhra Pradesh, as their nominee-Arbitrator. Similarly, in the Memo filed on behalf of the appellant, dated 7.7.2015, they have suggested the name of Sri D.S.R. Varma, retired judge of the High

Court of Andhra Pradesh, as their nominee-Arbitrator.

Having regard to the Memos filed by both the sides, we are satisfied that the following order shall meet the ends of justice.

“The appellant shall issue notice to the respondent No.1-State in terms of Clause 44.2 of the Concession Agreement, and, shall try to resolve the dispute by conciliation within the time stipulated therein. The time stipulated in Clause 44.2 of the Concession Agreement, shall start to run from today. If the dispute is not resolved amicably by conciliation, the arbitrators, named by the parties in their memos shall appoint an umpire and commence and conclude arbitration expeditiously in terms of the Concession Agreement.”

By consent, the writ appeal as well as Writ Petition No.15124 of 2009 stand disposed of in terms of this order.

Consequently, miscellaneous petitions, if any, also stand disposed of.

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**DILIP B. BHOSALE, ACJ**

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**S.V. BHATT,  
J**

7<sup>th</sup> July, 2015

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