

THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN

Arbitration Application No.97 of 2016

ORDER:

The lease deed dated 06.02.2008 contains an arbitration clause (Clause No.22), and stipulates that any dispute between the parties with regards the agreement or the subject matter thereof, including the existence and validity of the agreement, will be settled by arbitration under the provisions of the Arbitration and Conciliation Act, 1996; the arbitration will be conducted in the city of Hyderabad; each party will be entitled to appoint one arbitrator each; the two arbitrators will then choose an umpire for the arbitration proceedings; the proceedings shall be conducted in English; and the arbitration award shall be final and binding on both the parties.

While the arbitration agreement, no doubt, requires a panel of three arbitrators to be appointed to resolve the disputes, both Sri Unnam Muralidhar Rao, Learned Counsel for the applicant and Sri K. Ravi Mahender, Learned Counsel for the respondent, would agree that, instead, this Court should appoint a sole arbitrator to adjudicate the disputes between the parties. Both the Learned Counsel would request that Sri Justice L.Narasimha Reddy, (Retired Chief Justice of Patna High Court) be appointed as the sole arbitrator to resolve the disputes arising out of the lease agreement dated 06.02.2008.

As both parties are in agreement that Sri Justice L.Narasimha Reddy, (Retired Chief Justice of Patna High Court) be appointed as a sole arbitrator, for resolution of the disputes between them, I consider it appropriate to appoint Sri Justice L.Narasimha Reddy, (Retired Chief Justice of Patna High Court), H.No.2-2-25/3/3, Durgabai Deshmukh Colony, Near O.U. Campus, Baghamburpet, Hyderabad – 13, as the

sole arbitrator to adjudicate the disputes between the parties. The Learned arbitrator shall fix his remuneration, and incidental charges for the arbitration proceedings, in consultation with the parties. He is requested to complete arbitration proceedings, and pass an award at the earliest, preferably within a period of six months from the date of commencement of arbitral proceedings. He is also requested to hold sittings, as far as possible, in the mediation centre of the High Court.

The Arbitration Application, is accordingly, disposed of. The miscellaneous petitions pending, if any, shall also stand disposed of. There shall be no order as to costs.

Date:23.12.2016

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RAMESH RANGANATHAN, ACJ

