

**THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN**

**Arbitration Application No.79 of 2016**

**ORDER:**

The lease deed dated 28.06.2012 contains an arbitration clause (Clause No.23), and stipulates that any dispute or difference between the parties with regards the lease, and all connected and related matters whatsoever shall be discussed and settled amicably; in the event of any failure to resolve the disputes or differences amicably within thirty days, all such disputes or differences whatsoever, shall be referred to arbitration; the arbitration proceedings shall be conducted in English and in accordance with the provisions of the Arbitration and Conciliation Act, 1996 or any statutory modification or enactment thereof; each party shall appoint its arbitrator and the two appointed arbitrators shall appoint the third arbitrator; and the venue of Arbitration shall be Hyderabad.

Sri N.Chandradhar Rao, Learned Counsel for the respondent, would fairly state that the lease deed contains an arbitration clause, and there are arbitrable disputes which necessitate resolution by arbitration.

Both Sri A.Venkatesh, Learned Counsel for the applicants and Sri N.Chandradhar Rao, Learned Counsel for the respondent, would request this Court to appoint a sole arbitrator instead of a panel of arbitrators as stipulated in Clause 23 of the lease deed dated 28.06.2012.

In view of the joint request made by the Learned Counsel on either side for a sole arbitrator to be appointed, I consider it appropriate to appoint Sri Justice B.Seshasayana Reddy, Retired Judge of the High Court, H.No.8-1-299/A/3, 1<sup>st</sup> Floor, Veterinary Colony, Opp: D-Mart,

Shaikpet, Hyderabad – 500 089 (Cell No.94406 21426), as the sole arbitrator to adjudicate the disputes between the parties. The arbitrator shall fix his remuneration, and incidental charges for the arbitration proceedings, in consultation with the parties. He shall 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 shall 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:16.12.2016

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**RAMESH RANGANATHAN, ACJ**

