

The Hon'ble Sri Justice C.V.Nagarjuna Reddy
and

The Hon'ble Sri Justice A.V.Sesha Sai

Civil Revision Petition No.3709 of 2016

Date: 01.08.2016

Between:

Appasani Babu Rao

..Petitioner

and

The Chief Engineer
Transmission Lines
Constructin and Sub-Stations (TLCSS)
Krishna District and 4 others

..Respondents

Counsel for the petitioner: Ms.L.Gayatry
for Mr.Vikram Pooserla

The Court made the following:

Order: (Per the Hon'ble Sri Justice C.V.Nagarjuna Reddy)

The petitioner, who is the respondent in Arbitration OP.No.1449 of 2007, filed by respondent Nos.1 to 4 under Section 34 of the Arbitration and Conciliation Act, 1996 (for short 'the Act') approached this Court, evidently out of sheer

frustration that the Court of the Chief Judge, City Civil Court, Hyderabad, is unable to proceed with the afore-mentioned Arbitration OP in the absence of service of notice on respondent No.5- sole arbitrator and production of records by him.

The learned Counsel for the petitioner submitted that the lower Court has issued notices for about 30 times and in spite of the same, notices have not been served on respondent No.5.

Considering the fact that the award is almost nine years old and yet the OP filed under Section 34 of the Act is craving for disposal for non-service of notice on respondent No.5 and non-production of record by him, the lower Court is directed to take all such measures as are necessary, if possible, by appointing a bailiff at the instance of the petitioner for hand delivery of notice to respondent No.5 and ensure that the Arbitration OP is disposed of as expeditiously as possible and not later than three months from the date of receipt of this order.

Subject to the above direction, the Civil Revision Petition is disposed of.

As a sequel to disposal of the Civil Revision
Petition, CRPMP.No.4779 of 2016 is disposed of as
infructuous.

(C.V.Nagarjuna Reddy, J)

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(A.V.Sesha Sai, J)

Dt: 1st August, 2016
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