

THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN

Arbitration Application No.95 of 2016

ORDER:

Clause 21(ii) of the lease agreement dated 26.06.2015 stipulates that the disputes between the parties shall be resolved through arbitration under the Arbitration and Conciliation Act, 1996, and the venue of such arbitration proceedings shall be at Hyderabad.

The fact that there is arbitration clause in the lease agreement is not disputed by the respondents. All that is stated by Sri S.V.Muni Reddy, Learned Counsel for the respondent, is that the respondent has a counter claim in excess of Rs.4.00 Crores which should also be considered by the Arbitrator.

As the agreement provides for resolution of disputes, between the parties, through arbitration, I consider it to appoint Sri Justice N. Ravi Shankar, Retired Judge of this Court, H.No.1-96/1, Prabath Nagar, Chaitanyapuri, Near Ganga Hospital, Hyderabad – 500 060, as the sole arbitrator to resolve the disputes, (both claim and counter-claim), arising out of the lease agreement dated 26.06.2015. 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.

RAMESH RANGANATHAN, ACJ

Date:06.01.2017
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