

HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN

ARBITRATION APPLICATION NO.46 OF 2016

ORDER:

The subject arbitration agreement provides for each of the parties to nominate their arbitrator, and for both the arbitrators to appoint the 3rd or presiding arbitrator. The applicant filed the present application seeking appointment of a sole arbitrator. They sought amendment of the prayer, requesting this Court to appoint an arbitrator on behalf of the respondent, as they had already appointed Justice C.V. Ramulu as their nominee.

Sri K.V. Rusheek Reddy, Learned Counsel for the respondent, submits that the respondent has nominated Hon'ble Sri Justice B. Seshasayana Reddy as their arbitrator. While contending that failure on the part of the respondent to nominate their arbitrator, before the applicant had invoked the jurisdiction of this Court, would disable them from appointing an arbitrator on their behalf, Sri V. Prasad Rao, Learned Counsel for the applicant, would fairly state that this Court may appoint Sri Justice B. Seshasayana Reddy as an arbitrator on behalf of the respondent. Sri K.V. Rusheek Reddy, Learned Counsel for the respondent, readily agrees for such an order to be passed.

I consider it appropriate, therefore, to appoint Hon'ble Sri Justice B. Seshasayana Reddy (Retired), R/o. H. No.8-1-299/A/3, 1st floor, Veterinary Colony, Opp: D. Mart, Shaikpet, Hyderabad – 500 089, as the arbitrator on behalf of the respondent. Both the arbitrators, appointed on behalf of the applicant and the respondent, shall together nominate a third arbitrator. The Learned

Arbitrators shall fix their remuneration, and the incidental expenses for the arbitration proceedings, in consultation with the parties. They are requested to complete arbitration proceedings, and pass an award at the earliest, preferably within six months from the date of commencement of the arbitral proceedings. They are also requested, to the extent possible, to hold sittings in the mediation centre of the High Court.

The arbitration application is disposed of accordingly. The miscellaneous petitions pending, if any, shall stand closed. No costs.

RAMESH RANGANATHAN, ACJ

Date: 08.12.2017.

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