

HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN

ARBITRATION APPLICATION No.142 OF 2016

ORDER:

This application is filed, under Section 11(6) of the Arbitration and Conciliation Act, 1996, requesting this Court to appoint an arbitrator. The Development-cum-Power of Attorney Agreement dated 18.09.2010, executed by the applicants on the one hand and the respondent on the other, contains in Clause 25 the Arbitration Clause, and provides that the Arbitrator, to be appointed by both the parties, should be an advocate with at least ten years standing at the Bar or a retired High Court Judge. While the petitioner suggested the name of an Advocate as the arbitrator, the respondents, in their counter-affidavit, have requested this Court to appoint a person, who is eligible for appointment as an arbitrator, to adjudicate the matter under the Development Agreement. Both Sri Sharad Sanghi, Learned Counsel for the petitioner and Sri Mohd. Moin Ahmed Quadri, Learned Counsel for the respondent, request that a retired District Judge be appointed as the Arbitrator to adjudicate the dispute between the parties.

I consider it appropriate, therefore, to appoint Sri S. Bhujanga Rao, Retired District Judge, Alat No.203, Himalaya -1, Jayabharathi Gardens, Moosapet Y. Junction, Kukatpally, Hyderabad, as the arbitrator. The Learned 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 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 stand closed. No costs.

RAMESH RANGANATHAN, ACJ

Date: 04.08.2017.
MRKR

