

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

ARBITRATION APPLICATION No. 42 OF 2015

ORDER :

This application is filed under Section 11(5) and (6) of the Arbitration and Conciliation Act, 1996 (*for short 'the Act'*) read with Scheme for Appointment of Arbitrator to resolve the disputes between the Applicant and the Respondents arising out of the Development Agreement dt. 26.10.2006 entered into between the Applicant and the Respondents.

A perusal of reply notice dt.26.04.2010 issued by respondents 1 & 2 to the notice dt.19.04.2010 issued by the petitioner goes to show that respondents 1 & 2 are willing for appointment of Arbitrator. The said reply notice dt.26.04.2010 is filed at page 39 of this application.

Learned counsel appearing for respondent No.3 also did not object for appointment of Arbitrator by this Court.

In view of the same, since the parties have no objection for appointment of Arbitrator by this Court and since the respondents also have not filed counter disputing the existence of Arbitration Clause, this Court is of the opinion that this application needs to be allowed.

In view of the facts and circumstances of the case, the arbitration application is allowed appointing Hon'ble Sri M.Rajamouli Sarma (Retired District Judge) as the sole Arbitrator for resolution of dispute(s) between the applicant and respondents, arising out of the

Development Agreement dt. 26.10.2006 entered into between the Applicant and the Respondents in accordance with the provisions and mandate of the Act of 1996. The learned Arbitrator shall be entitled to fees as per the rates specified in the Fourth Schedule to the Act of 1996, inserted by Act 3 of 2016 with effect from 23.10.2015, which shall be borne by both parties in equal measure. No order as to costs.

A.RAJASHEKER REDDY, J

27-11-2019

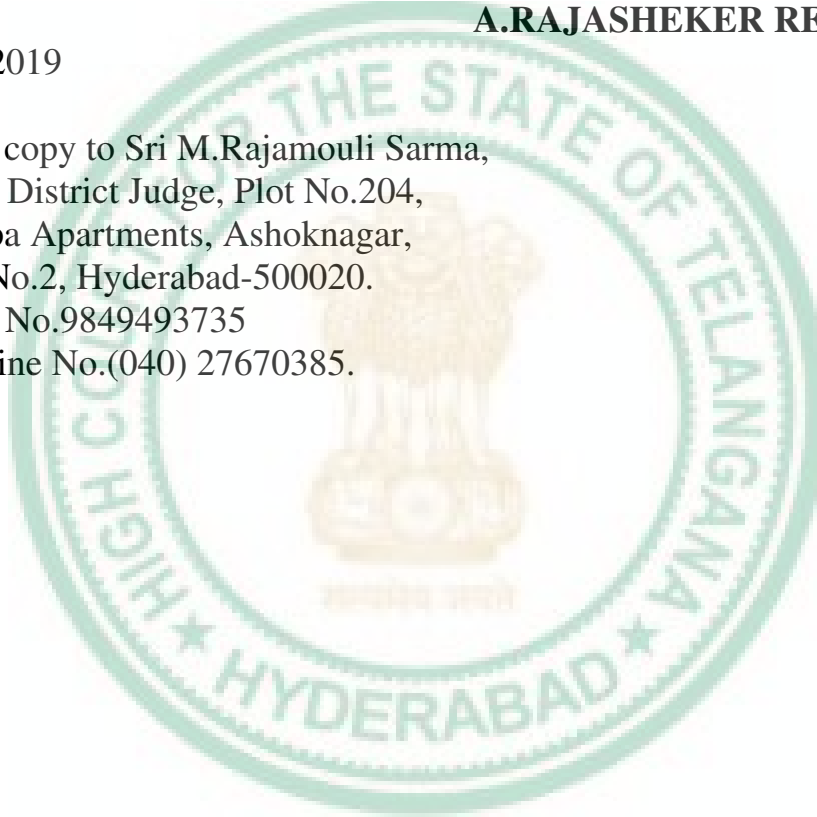
Note:

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