

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

ARBITRATION APPLICATION No.47 of 2015

ORDER:

By way of this application filed under Section 11 of Arbitration and Conciliation Act, 1996 (for short "the Act"), the petitioner seeks appointment of an Arbitrator for resolution of disputes arising under the terms of the agreement of sale entered into by and between them.

Learned counsel for the petitioner states that the respondent having received the notices invoking the arbitration clause no.22 under the agreement of sale to settle the dispute, no arbitrator could be appointed. Hence, this application.

On the other hand, learned counsel for the respondent states that earlier the petitioner had filed AA No.87 of 2020 before this Court and the said arbitration application was withdrawn with liberty to approach the civil Court since third party interest has been created. It is also stated by learned counsel for the respondent that on the same cause of action, the petitioner cannot be allowed to maintain this second arbitration application.

In view of the facts and circumstance of the case, the objection raised by the learned counsel for the respondent is upheld. The arbitration application is dismissed as not maintainable. No order as to costs.

A.RAJASHEKER REDDY,J

Dated: 23-01-2020
NRG

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

ARBITRATION APPLICATION No.47 of 2015

//Web//



Dated: 23-01-2020

NRG

