

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

ARBITRATION APPLICATION No.49 of 2019

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 Agreement dated 14-02-2011 entered into by and between them.

As disputes arose between them and it is the allegation of the petitioner that respondent have breached the terms of the Agreement dated 14-02-2011 by not paying the amounts due, the petitioner got issued legal notice dated 20-10-2018 invoking the arbitration clause no.19 under the Agreement to settle the dispute. The Arbitration clause no.19 of the Agreement provides for dispute to be referred to arbitration.

Learned counsel for the petitioner states that pursuant to the notice served on the respondent, reply to the said legal notice was issued and thereafter rejoinder was also issued by the petitioner, but the respondent was not agreeing for appointment of arbitrator by the petitioner.

Inasmuch as under Clause 19 of the Agreement provides for arbitration, and there exists a dispute, the parties are to be relegated for arbitration. It is also stated by learned counsel for the parties that in connected matter AA No.27 of 2019, Sri Justice Nooty Ramamohana Rao (Retd), has been appointed, the same Honble Judge be nominated in this matter also.

Heard the learned counsel for the respondent.

Accordingly, the arbitration application is allowed appointing Sri Justice Nooty Ramamohana Rao, Judge (Retd.) High Court at Hyderabad, as the sole Arbitrator for resolution of dispute(s) between the petitioner and respondent, arising out of Agreement dated 14-02-2011, in accordance with the provisions and mandate of the Act of 1996. No order as to costs.

A.RAJASHEKER REDDY,J

Dated: 07-01-2020

Note: Mark a copy to the Honble Judge
(b/o)
NRG



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Dated: 07-01-2020

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