

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

ARBITRATION APPLICATION No.96 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 Lease Deed dated 02-07-2015 entered into by and between them.

As disputes arose between them and it is the allegation of the petitioner that respondent has breached the terms of the Lease Deed dated 02-07-2015 by not paying the rent, the petitioner got issued legal notice dated 05-07-2019 invoking the arbitration clause under the Lease Deed to settle the dispute, but there is no response from the respondent. Clause 9 of the Lease Deed provides for resolution of dispute through arbitration at Hyderabad.

Learned counsel for the petitioner states that though notice is served on the respondent, no counter affidavit is filed. There is no representation on behalf of the respondent.

Inasmuch as the Lease Deed dated 02-07-2019 provides for arbitration, which is not disputed by the respondent by filing any counter affidavit, the arbitration application is liable to be allowed.

Accordingly, the arbitration application is allowed appointing Sri M. Narender Reddy, Senior Counsel, as the sole Arbitrator for resolution of dispute(s) between the petitioner and respondent, arising out of Lease Deed dated 02-07-2015, 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 proportion. No order as to costs.

A.RAJASHEKER REDDY,J

Dated: 07-01-2020
NRG

Note: Mark a copy to Sri M. Narendra Reddy,
Senior Counsel, R/o.Plot No.189-C, Road No.76,
Jubilee Hills, Hyderabad – 33. Cell No.9848019108
(b/o)
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