

HON'BLE SRI JUSTICE A. RAJASHEKER REDDY

ARBITRATION APPLICATION No.2 of 2016

ORDER :

This Arbitration Application under Section 11 (5) of the Arbitration and Conciliation Act, 1996 (for brevity "the Act") is filed by the applicant seeking appointment of an Arbitrator for resolution of the disputes between the applicants and the respondents arising out of the Development Agreement-cum-General Power of Attorney bearing document No.3262 of 2010, dated 27-10-2010.

Learned counsel for the applicants as well as learned counsel for the respondents say that the Development Agreement-cum-General Power of Attorney has been cancelled by the parties vide cancellation Deed, dated 29-03-2019. Learned counsel for the applicants also says that still monetary claim of the applicants is subsisting, which is seriously disputed by learned counsel for the respondents. Since there is no dispute regarding cancellation of development agreement-cum-General Power of Attorney, the arbitration clause contained in the said agreement stands nullified. As such, the applicants cannot rely on the said arbitration clause.

In view of the same, the Arbitration Application is dismissed. However, if the applicants have any grievance

dehors the agreement, it is open for them to agitate the same in accordance with law. No order as to costs.

As a sequel, miscellaneous applications pending, if any, shall stand closed.

A. RAJASHEKER REDDY, J

07-01-2020

Nvl



HON'BLE SRI JUSTICE A. RAJASHEKER REDDY

ARBITRATION APPLICATION No.84 of 2019



02-01-2020

Nvl