

HIGH COURT FOR THE STATE OF TELANGANA

MAIN CASE No.: ARBAPPL No.39 of 2021

PROCEEDING SHEET

Sl.No	DATE	ORDER	OFFICE NOTE
	13.12.2024	<u>TVK,J:</u> <u>I.A. No.2 of 2024 in Arb. Appl. No.39 of 2021</u> This interlocutory application is filed by the claimant in Arbitration Application No.39 of 2021 as petitioner to refer the dispute which was the subject matter of Arbitration Application No.39 of 2021 to the Legal Services Committee under Section 8(a) of the Legal Services Authority Act, 1987 (for short 'the Act') for recording the compromise and settlement agreement entered into between the parties on 14.03.2024. Prelude to the present interlocutory application is that the petitioner had approached this Court by filing application under Section 11(5) and (6) of the Arbitration & Conciliation Act, 1996 (for short 'the 1996 Act'), <i>vide</i> Arbitration Application No.39 of 2021 seeking resolution of disputes between the claimant and respondent under the agreement of sale dated 16.12.2015. This Court, on due consideration of the submissions made on behalf of the parties in the aforesaid application by order dated 28.06.2023 had referred the dispute between the parties to arbitration by appointing Hon'ble Sri Justice Goda Raghuram, Former judge of the erstwhile High Court of Andhra Pradesh as the sole Arbitrator.	(P.T.O.)

		It is also brought to the notice of the Court that on the learned Arbitrator entering the reference, the claimants have filed a memo dated 18.05.2024 intimating that they are not in a position to remit the statutorily specified Arbitration fee fixed by the learned Arbitrator. Upon the claimants/petitioners herein filing the aforesaid memo, the learned Arbitrator terminated the proceedings in terms of Section 32(2)(c) of the 1996 Act <i>vide</i> proceedings dated 01.06.2024. The petitioners now claim that though the Arbitration proceedings initiated by stand terminated, the parties have arrived at an amicable settlement and also have entered into agreement on 14.03.2024 whereby the terms of compromise have been reduced into writing. By the present interlocutory application, the claimants in the Arbitration Application submits that since the parties have entered into compromise and settlement among themselves and also have reduced the terms of such settlement into writing, the Arbitration Application be referred to the High Court Legal Services Committee for placing the same in the ensuing Lok-adaklat, for recording the terms of compromise and settlement arrived at between the parties. Sri Deepak Misra, learned Counsel appearing on behalf of the respondents does not dispute the aforesaid submission made by the learned Counsel for claimants and submits that the respondents have no objection to this	(P.T.O)
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		Court referring the Arbitration Application to the Legal Services Committee for recording the terms of compromise in the ensuing Lok Adalat to be held on 14.12.2024. Having regard to the submissions made as above and for the reasons indicated in the affidavit filed in support of the Interlocutory Application, as the parties claim to have amicably settled the dispute arising out of the agreement dated 16.12.2015 having entered into a memorandum of compromise and settlement dated 14.03.2024, this Court is of the view that the dispute can be referred to the Legal Services Committee in terms of Section 8(2)(c) of the Act, for placing the same at the ensuing Lok Adalat to be held on 14.12.2024. Accordingly, I.A. No.2 of 2024 is allowed. Registry is directed to refer the Arbitration Application No.39 of 2021 to High Court Legal Services Committee for placing the same before the Lok Adalat being held on 14.12.2024. Consequently, no orders are necessary in I.A. No.1 of 2024. TVK,J MRKR	
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