

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

**FRIDAY ,THE TWENTY NINTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY THREE**

PRESENT

THE HON'BLE THE CHIEF JUSTICE ALOK ARADHE

ARBITRATION APPLICATION NO: 182 OF 2023

Between:

D. Randhir Reddy, S/o. Late D. Jayachandra Reddy, A/a, 59 years, Occ. Business,
R/o Plot No. 1030, Road No. 51, Jubilee Hills, Hyderabad -500033.

...APPLICANT

AND

Mr. Harsha Chigurupati, S/o. Mr. Krishna Prasad Chigurupati, A/a. 36 years, Occ.
Executive Director, Granules India Limited, R/o. Residential Villa No.5 (Five), EDEN
GARDEN' Survey No. 145, Kokapet, Hyderabad, Telangana – 500075

...RESPONDENT

Arbitration Application Under Section 11 (5) & (6) of the Arbitration and
Conciliation Act, 1996 R/w. Scheme for Appointment of Arbitrators 2006 praying
that this Hon'ble Court may be pleased

1. To appoint a Sole Arbitrator on reasonable fees to resolve the disputes
between the Applicant and the Respondent in relation to the lease deed dt.
07/11/2020, executed between the Petitioner and the Respondent herein.
2. To award costs of the Application.

Counsel for the Applicant :SRI. ASAD HUSSAIN

Counsel for the Respondent: SRI D. NEEHARIKAREDDY

The Court made the following ORDER:

THE HON'BLE THE CHIEF JUSTICE ALOK ARADHE

ARBITRATION APPLICATION No.182 of 2023

ORDER.

Heard Mr. Asad Hussain, learned counsel for the applicant and Ms. D.Neeharika Reddy, learned counsel for the respondent.

2. This application under Section 11(6) of the Arbitration and Conciliation Act, 1996 (briefly 'the A&C Act') has been filed seeking appointment of sole arbitrator to resolve the dispute between the parties.

3. Admittedly, lease deed dated 07.11.2020 was executed between the parties. Clause 14 of the said Lease Deed contains an arbitration clause, which reads as under:

Dispute Resolution/Arbitration:

All the disputes arising out of or in connection with this Deed shall be initially resolved by mutual discussions between the parties or the nominated representatives of both the parties. In case of disputes not resolved by mutual discussions, the same shall be referred to the arbitration in accordance with the provisions of the Arbitration & Conciliation Act, 1996. The disputes shall be referred to the mutually agreed Sole Arbitrator. In case it is not possible to

/

appoint mutually agreed Arbitrator, each party shall appoint one Arbitrator each and the two appointed Arbitrator shall appoint the third Arbitrator. The venue of the Arbitration shall be at Hyderabad. The award of the Arbitrator shall be in English and binding final on both the parties.

4. Applicant sent notice to the respondent on 07.06.2023. Respondent has sent reply on 01.08.2023. Thereafter, this application has been filed.

5. Learned counsel for the respondent submitted that the dispute has arisen between the parties. Therefore, the same requires adjudication under the arbitration clause.

6. On the other hand, learned counsel for the respondent has not disputed the existence of arbitration clause in the agreement.

7. Admittedly, dispute has arisen between the parties, which requires resolution in the manner agreed to by the parties.

8. Therefore, Mr. C.Hare Krishna Bhupathi, retired Principal District and Sessions Judge at L.B.Nagar, Ranga Reddy District

(resident of Flat No.203, Laxmi Residency, Road No.9, New Nagole Colony, lane by the side of Union Bank of India, Nagole Branch, Ranga Reddy District) is appointed as sole arbitrator to adjudicate the dispute between the parties.

8.1. Parties shall appear along with a copy of this order before the Arbitrator on 20.01.2024 at 11:00 a.m.

9. Accordingly, the Arbitration Application is disposed of. No costs.

10. Office to communicate a copy of this order to the learned Arbitrator.

Sd/- M.VIJAYA BHASKAR,
JOINT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

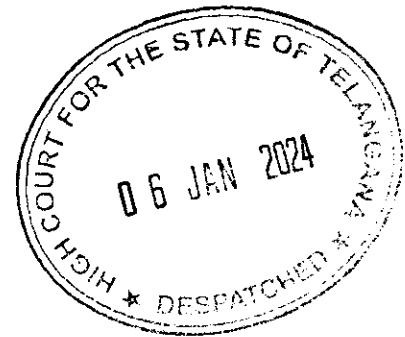
1. Sri C. Hare Krishna Bhupati, retired Principal District and Sessions Judge at L.B. Nagar, Ranga Reddy District R/o. Flat No. 203, Laxmi Residency, Road No. 9 New Nagole Colony, lane by the side of Union Bank of India , Nagole Branch, Ranga Reddy District. (By Special Messenger) (along with a copy of affidavit and material papers)
2. The S.O. O.S. Section, High Court for the State of Telangana at Hyderabad.
3. One CC to SRI. ASAD HUSSAIN, Advocate [OPUC]
4. One CC to SRI. D. NEEHARIKAREDDY, Advocate [OPUC]
5. Two CD Copies

kul

HIGH COURT

HCJ

DATED:29/12/2023



ORDER

ARBITRATION APPLICATION No.182 of 2023

DISPOSING OF THE ARBITRATION APPLICATION
WITHOUT COSTS

⑧ $\frac{NWS}{6/1/24}$