

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

**FRIDAY, THE TWENTY SECOND DAY OF MARCH
TWO THOUSAND AND TWENTY FOUR**

PRESENT

THE HON'BLE THE CHIEF JUSTICE ALOK ARADHE

ARBITRATION APPLICATION No: 9 of 2024

Between:

Mrs. Indumathi, w/o. M. Ram Mohan Rao, Age: 64 years, R/o. #G-133, Flat No. 201, Sai Krishna Enclave, Madhura Nagar, S.R.Nagar, Hyderabad, Presently residing at #A1408, Sumadhura Acropolis, Nanakramguda, Gachibowli, Financial District, Hyderabad-500032.

...APPLICANT

AND

Mr. K. Vivek Rao, S/o. late. K. Jaya Rao, Age: 54 years, Occ: Builder, R/o. Plot No. 96-A, Nandagiri Hills, Jubilee Hills, Hyderabad-500033.

...RESPONDENT

Arbitration Application Under Section 11 (5) & (6) of the Arbitration and Conciliation Act, 1996 praying that this Hon'ble Court may be pleased to appoint an Arbitrator under Section 11 (5) & (6) of the Arbitration and Conciliation Act, 1996, read with the Scheme of Appointment of Arbitrators, 1996, as framed by Hon'ble High Court for the State of Telangana and under Clause 13(b) of the Development Agreement Cum General Power of Attorney dated 23-07-2018, to resolve the disputes between the Applicant and the Respondent herein.

**Counsel for the Petitioner: Mr. BHARATH CHANDRA MADAS, represents
Mr. SRINIVASA RAO BODDULURI**

Counsel for the Respondent: Mr. VEDULA VENKATARAMANA

The Court made the following: ORDER

THE HON'BLE THE CHIEF JUSTICE ALOK ARADHE

ARBITRATION APPLICATION No.9 of 2024

ORDER:

Mr. Bharath Chandra Madas, learned counsel represents Mr. Srinivasa Rao Bodduluri, learned counsel for the applicant.

Mr. Vedula Venkataramana, learned Senior Counsel for the respondent.

2. This application is filed under Section 11(5) and (6) of the Arbitration and Conciliation Act, 1996 seeking appointment of an arbitrator to resolve the disputes between the parties.

3. Heard the learned counsel for the parties.

4. The parties have admittedly entered into an arbitration agreement on 23.07.2018. Clause 13(c) of the aforesaid agreement contains an arbitration clause, which is extracted below for the facility of reference.

"13(c). Any dispute failing amicable resolution through mutual conciliation shall be referred to and finally resolved by arbitration ("Arbitration") in accordance with the Arbitration and Conciliation Act, 1996 in India. The arbitration shall be conducted in English by a sole arbitrator who shall be appointed by both the parties. The seat of arbitration shall be Hyderabad, India. The jurisdiction for all purposes shall be Hyderabad, India. Any award made by the arbitrator shall be binding on the parties."

5. Learned counsel for the parties jointly submit that the disputes involved between the parties be referred for adjudication in the manner agreed to by the parties.

6. In view of the aforesaid joint submission, Mr. Justice P.Naveen Rao, a former Acting Chief Justice of this Court, (#3001, My Home Bhooja, Block-A, Plot Nos.22-24 & 31-33, Rayadurgam, Ranga Reddy District, Mobile No.8374012311), is appointed as sole arbitrator to adjudicate the dispute between the parties.

7. The parties undertake to appear before the sole arbitrator on 13.04.2024 at 11:00 a.m. along with a copy of this order.

8. Thereupon, the sole arbitrator shall proceed with the arbitral proceedings in accordance with law.

9. Accordingly, the arbitration application is allowed.

Miscellaneous applications pending, if any, shall stand closed. No order as to costs.

Sd/- M. VIJAYA BHASKAR
JOINT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. Mr. Justice P. Naveen Rao, Former Acting Chief Justice, High Court for the State of Telangana at Hyderabad. Resident of #3001, My Home Bhooja, Block-A, Plot Nos.22-24 & 31-33, Rayadurgam, Ranga Reddy District, Mobile No.8374012311. (By Special Messenger) (Along with a Copy of affidavit and material papers)

2. One CC to Mr. SRINIVASA RAO BODDULURI, Advocate [OPUC]
3. One CC to Mr. VEDULA VENKATARAMANA, Advocate [OPUC]
4. Two CD Copies

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HIGH COURT

DATED:22/03/2024



ORDER

ARBAPPL.No.9 of 2024

**THE ARBITRATION
APPLICATION
IS ALLOWED**

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