IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

FRIDAY, THE THIRTIETH DAY OF OCTOBER
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE THE ACTING CHIEF JUSTICE P.SAM KOSHY

ARBITRATION APPLICATION NO: 60 OF 2025

Between:

Sailesh Agarwal, S/o Kamal Narayan Agarwal, aged about 58 years, Occ. R/o H.No.8-2-470, Road No.1, Banjara Hills, Hyderabad.

...Appellant

AND

Mr. Pothu Ashok, S/o P. Narayana, aged about 54 years, Occ. Business, Flat No.603, A Block, 6th Floor Khushal Towers, Khairatabad, Hyderabad (TS) & H.No.1-3-58, Chaitanyanagar, Metpally Mandal, Karim Nagar District (TS)

...Respondent

Arbitration Application filed Under Section 11 (6) the Arbitration and Conciliation Act, 1996 praying that in the circumstances stated in accompanying affidavit this Hon'ble Court may be pleased to appoint a sole arbitrator for the purpose of adjudication of all disputes that have arisen between the Applicant and the Respondent from out of and in relation to the tenancy of Flat No.603, A Block, Sixth Floor, Khushal Towers, Khairatabad, Hyderabad, TS under lease deed dated. 01-11-2023 between the parties i.e. the Applicant and the Respondent.

Counsel for the Applicant : Sri Mohd. Ismail Ashfaq represents Sri R A Achuthanand

Counsel for the Respondent : _ _ _

The Court made the following: ORDER

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THE HONOURABLE THE ACTING CHIEF JUSTICE P. SAM KOSHY

Arbitration Application No.60 of 2025
(CNR.No.HBHC010179152025)

Date of order : 30.10.2026

Between:

Sailesh Agarwal

... Applicant

and

Pothu Ashok

... Respondent

ORDER :

Mr. Mohd. Ismail Ashfaq, learned counsel represents Mr. R.A. Achuthanand, learned counsel for the applicant.

2. The instant Arbitration Application has been filed by the applicant under Section 11(6) of the Arbitration and Conciliation Act, 1996 seeking appointment of an arbitrator to adjudicate the dispute between the parties.

3. Admittedly, the parties have entered into a Lease Deed dated 01.11.2023. Learned counsel for the applicant drawn the attention of this Court on the arbitration clause which reads thus:

> "9. Arbitration: All the disputes with reference to the lease deed, payment of rent or any other breach of the terms and conditions of this agreement and eviction it shall be referred to the arbitrator on mutual acceptance of both the parties, and the arbitrator shall enter in to reference within one months and shall pass an award within three months from the date of reference and it shall be binding on all the parties. The renewal lease shall not form of a reference of the arbitrator. In case if the LESSEE fails to pay the rent within stipulated period and commit default, the Lessor shall approach the arbitrator and the arbitrator shall have powers to pass

interim ward of delivery of possession to the Lessor and the seat or the arbitration shall be at Hyderabad only, and within the Hyderabad jurisdiction. Even after expiry of the lease period, the arbitrator can pass an interim award for delivery of possession."

4. When the dispute has arisen between the parties, the applicant got issued a legal notice to the respondent for appointment of Arbitrator, but the respondent did not give any reply. It appears that there exist disputes between the parties which need to be resolved through Arbitration procedure, as per the dispute resolution clause.

5. Therefore, Mr. K.Sanga Reddy, retired District Judge (Resident of Flat No.711, Rasun-Ace Elysian, Masjid Banda, Kondapur, Ranga Reddy District, Hyderabad-82; Mobile No.9440071155), is appointed as sole arbitrator to adjudicate the dispute between the parties and the proposed arbitrator has given consent.

6. The parties shall appear before the sole arbitrator along with a copy of this order. Thereupon, the sole arbitrator shall proceed with the arbitral proceedings in accordance with law.

7. Accordingly, the Arbitration Application is allowed. No costs. As a sequel, miscellaneous petitions, pending if any, stand closed.

SD/- K. SHYLESHI
JOINT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. Sri K.Sanga Reddy, retired District Judge (Resident of Flat No.711, Rasun-Ace Elysian, Masjid Banda, Kondapur, Ranga Reddy District, Hyderabad-82; Mobile No.9440071155) **(By Special Messenger) (Along with a Copy of affidavit and material papers)**
2. One CC to SRI. R A ACHUTHANAND, Advocate [OPUC]
3. Two CD Copies

HIGH COURT

DATED: 30/10/2026



ORDER

ARBAPPL.No.60 of 2025

ALLOWING THE ARBAPPL

WITHOUT COSTS

05/11/26
KK