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

THURSDAY, THE SIXTEENTH DAY OF APRIL
TWO THOUSAND AND TWENTY SIX

**PRESENT**

**THE HONOURABLE SRI JUSTICE P.SAM KOSHY**

**ARBITRATION APPLICATION NO: 319 OF 2024**

**Between:**

M/s. Akash Builders, A proprietary concern, presently at Plot No.21, Behind Royal Enfield Show Room, Somajiguda, Raj BhavanRao, Hyderabad, State of Telangana, Rep. by its Proprietor Sri. KetanSanghvi, S/o. Sri. RasiklalSanghavi, Aged 56 years, Occ. Business, R/o. Plot No.84, P and T Colony, Opp. Secunderabad Club, Secunderabad, State of Telangana

**...APPLICANT**

**AND**

Kalva Nischal Kumar, S/o. Kalva Ashok Kumar, Aged 47 years, Occ. Business, R/o. H.No.5-3-849, Suryamahal, Mozamjahi Market, Hyderabad, State of Telangana. AND ALSO RESIDING AT Plot No.15, ManikantaNilayam, Krishnapuri Colony, West Marredpally, Secunderabad, State of Telangana.

**...RESPONDENT**

Arbitration Application filed Under Section 11 (5) & 11(6) (a) of the Arbitration and Conciliation Act, 1996 Praying that in the circumstances stated in accompanying affidavit this Hon'ble Court may be pleased:

(i) To appoint a Sole Arbitrator to adjudicate the claims and to settle the disputes between the parties in terms of clause (32) of the Reg. Development Agreement-cum-General Power of Attorney dated 19-02-2007 bearing Document No.3635/2007,

(ii) Allow the application in favour of the Applicant and against the Respondent on costs;

**Counsel for the Applicant : Sri. Naresh Bandi**

**Counsel for the Respondents : Mr. M. Karthika representing Sri. D Raghavendar Rao**

**The Court made the following:**

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

**THE HONOURABLE SRI JUSTICE P.SAM KOSHY**

**ARBITRATION APPLICATION No.319 of 2024**

**DATE: 16.04.2026**

**Between:**
**M/s. Akash Builders.**

**...Applicant**

**AND**

**Kalva Nischal Kumar.**

**...Respondent**

**ORDER:**

For a last more than couple of hearings, there is no representation on behalf of the applicant in spite of the matter being repeatedly called on every date of hearing. Today also even after the matter being listed under the caption 'For Dismissal', there is no representation on behalf of the applicant.

**2.** Mr. M.Karthik, learned counsel appearing on behalf of Mr. D. Raghavendar Rao, learned counsel for the respondent submits that the applicant has already approached the Civil Court at Medchal District by

filing O.S.No.101 of 2017 where the applicant moved a petition under Section 8 of the Arbitration and Conciliation Act, 1996 read with Section 151 of C.P.C. praying the Civil Court to refer the matter to arbitration. The said petition was subsequently withdrawn and later a petition was filed under Order VII Rule 11 of C.P.C. which stood allowed and the suit stood dismissed, against which the respondent has preferred a First Appeal which is at S.R. stage.

**3.** In view of the above, the only inference that can be drawn at this juncture keeping in view the proceedings that the applicant is pursuing before the Civil Court is that the applicant is not keen in pursuing the instant Arbitration Application. Accordingly, the instant Arbitration Application stands dismissed for want of prosecution.

**4.** As a sequel, miscellaneous petitions pending if any, shall stand closed. However, there shall be no order as to costs.

**Sd/- B. SATYAVATHI**
**JOINT REGISTRAR**

**//TRUE COPY//**

**SECTION OFFICER**

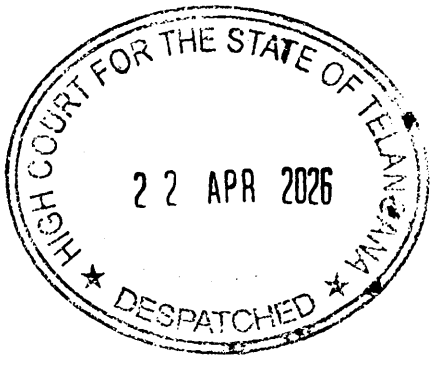
**To,**

1. One CC to Sri. Naresh Bandi, Advocate [OPUC]
2. One CC to Mr. D Raghavendar Rao, Advocate [OPUC]
3. Two CD Copies

DL/BA

**HIGH COURT**

**DATED: 16/04/2026**




**ORDER**

**ARBAPPL.No.319 of 2024**

**ARBITRATION APPLICATION DISMISSED FOR WANT OF PROSECUTION**

21/4/26