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: 262 OF 2025

Between:

Mr.Mohammed Aleem @ M.A.Aleem, S/o. Late. Mohammad Abdul Raheem, Aged about 78 Years, Occ: Business, R/o. H.No.157/B/1, Gunrock Enclave, Phase No.2, Karkhana, Secundrabad Telangana.State Pincode - 500 009

...APPLICANT

AND

Mr. Shabbir Totanwala, S/o. Mr. Hyderali Totanwala, Aged about 62 Yrs, Occ: Business, R/o. Plot No.87, Besides Sabji Bazar, Trimulgheery, Secundrabad. -15
Also at
R/o Flat No.202, Plot No.10, SMH Hill view Kamalaya enclave,
Jupiter Colony, Tirmulgherry, Sec-bad.

...RESPONDENT

Arbitration Application filed Under Section 11(2) & (6) of the Arbitration and Conciliation Act, 1996 read with the Scheme for appointment of Arbitration, 1996 of High Court praying that in the circumstances stated in accompanying affidavit the High Court may be pleased:

I. To appoint a sole arbitrator to adjudicate the claims and disputes between the applicants and respondents; and
II. To award the costs of application.

Counsel for the Petitioner: Sri. M Venkata Rama Rao

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.262 of 2025
(CNR.No.HBHC010723162025)

Date of order : 30.10.2026

Between:

Mohammed Aleem @ M.A. Aleem

... Applicant

and

Shabbir Totanwala

... Respondent

ORDER :

Heard Mr. M. Venkata Rama Rao, learned counsel appearing for the applicant.

2. The instant Arbitration Application has been filed by the applicant under Section 11(2)(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 Development Agreement-cum-Irrevocable General Power of Attorney dated 18.05.2017. Learned counsel for the applicant drawn the attention of this Court on the arbitration clause which reads thus:

> "30. That both the parties mutually agreed that in case of any dispute between both the parties arising against this agreement the same shall be referred to an commonly appointed Arbitrator by the both the parties and the provisions of the Arbitration and Conciliation Act, 1996 shall be

applicable for the conduct of the Arbitration proceedings. The place of conduct of Arbitration proceeding shall be at Hyderabad."

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, Sri V. Niranjan Rao, former District Judge (Resident of Villa No.6, MYP1, Green Castle, Gundla Pochampally (Vill.), Medchal Malkajgiri District, Hyderabad; Mobile No.8688322366), 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/- R.KARTHIKEYAN
JOINT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. Sri. V. Niranjan Rao, former District Judge (Resident of Villa No.6, MYP1, Green Castle, Gundla Pochampally (Vill.), Medchal Malkajgiri District, Hyderabad; Mobile No.8688322366) **(By Special Messenger) (Along with a Copy of affidavit and material papers)**
2. One CC to Sri. M Venkata Rama Rao, Advocate [OPUC]
3. Two CD Copies

PR/GNK

HIGH COURT

DATED: 30/10/2026



ORDER

ARBAPPL.No.262 of 2025

ALLOWING THE ARBITRATION APPLICATION

06/11/26
K.K