IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

FRIDAY, THE TWENTY EIGHTH DAY OF MARCH TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HON'BLE THE ACTING CHIEF JUSTICE SUJOY PAUL

ARBITRATION APPLICATION No: 21 of 2025

Between:

Chemtech India Private Limited, Corporate Identification Number. U24299TG202OPTC144856, Having its Registered Office at. Plot No. 140, IDA Mallapur, Nacharam, Uppal, Medchal Malkajgiri District, Rep by its Authorised Signatory and Director, Sri. Ravi Chandra Yadav S/o Sri. Bhubneshwar Prasad Yadav, aged about 26 years, Occ: private service, R/o Hyderabad.

...Applicant

AND

Rana Contractor, Proprietor concern, Represented by its Proprietor Murtaja S/o Saiyyad, Office at: Pithlokhar, Near Canara Bank, Pithlokhar, Meerut, Uttar Pradesh - 250342.

...Respondent

Arbitration Application filed under Section 11 Sub Secs. 5 and 6 of the Arbitration and Conciliation Act, 1996, praying that this Hon'ble Court may be pleased to

a) Appoint a sole arbitrator to resolve the disputes between the Applicant Company and the Respondent arising out of the agreement dated 20-03-2023, in particular as contained in, inter alia, the Reply cum Legal Notice dated 25-01-2025 included in "Annexure -P10" hereto; and

b) Award costs of the Arbitration application.

Counsel for the Petitioner: Sri Malipeddi Srinivas Reddy

Counsel for the Respondent: None Appeared

The Court made the following: ORDER

THE HON'BLE THE ACTING CHIEF JUSTICE SUJOY PAUL

ARBITRATION APPLICATION No.21 of 2025

ORDER:

Sri Malipeddi Srinivas Reddy, learned counsel for the applicant and none appeared for the respondent, despite service of notice.

2. This application under Section 11(5) and (6) of the Arbitration and Conciliation Act, 1996, has been filed seeking appointment of an arbitrator to adjudicate the dispute between the parties.

3. Heard the learned counsel for the applicant.

4. Admittedly, the parties have entered into Technical Service Agreement, dated 20.03.2023. Learned counsel for the applicant has drawn the attention of this Court to the arbitration clause i.e., Article 11 of the said agreement, which reads thus:

> **"Article 11 Settlement of Disputes**:
>
> 11.1. If any dispute arises out of the interpretation and performance of this Agreement, the parties shall first attempt to settle such dispute through friendly negotiations.
>
> 11.2. Should such dispute fail to be settled through negotiations, each Party may submit such dispute to the arbitration of U.P. or Telangana States. The arbitration award shall be final and binding upon all the Parties."

5. When the dispute has arisen between the parties, the applicant invoked Article 11 of the Technical Service Agreement for settlement of disputes and sent a communication dated 25.01.2025, but the same could not fetch any result.

6. Nobody has entered appearance for the respondent despite service of notice. The pleadings show that there exists a dispute and Article 11 of the Technical Service Agreement shows that there exists a dispute resolution mechanism. The applicant has fulfilled the formality. Thus, necessary ingredients to appoint the arbitrator are satisfied.

7. Therefore, Sri M.Johnson, former District Judge (resident of Flat No.202, Jyothi Pride Apartment, P.S.Nagar Colony, Masab Tank, Hyderabad-500028; Mobile No.9440589232) is appointed as sole arbitrator to resolve the disputes between the parties.

8. The parties shall appear before the sole arbitrator on 11.04.2025 at 11:00 a.m. along with a copy of this order. Thereupon, the sole arbitrator shall proceed with the arbitral proceedings in accordance with law.

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

Sd/- M. VIJAYA BHASKER
JOINT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. Sri M. Johnson, Former District Judge, resident of Flat No.202, Jyothi Pride Apartment, P.S.Nagar Colony, Masab Tank, Hyderabad-500028; Mobile No.9440589232. **(By Special Messenger) (Along with a Copy of affidavit and material papers)**
2. Sri. Ravi Chandra Yadav S/o Sri. Bhubneshwar Prasad Yadav, Authorised Signatory and Director, Chemtech India Private Limited, Corporate Identification Number. U24299TG202OPTC144856, Having its Registered Office at. Plot No. 140, IDA Mallapur, Nacharam, Uppal, Medchal Malkajgiri District, R/o Hyderabad.
3. Rana Contractor, Proprietor concern, Represented by its Proprietor Murtaja S/o Saiyyad, Office at: Pithlokhar, Near Canara Bank, Pithlokhar, Meerut, Uttar Pradesh - 250342.
4. One CC to Sri Malipeddi Srinivas Reddy, Advocate [OPUC]
5. Two CD Copies

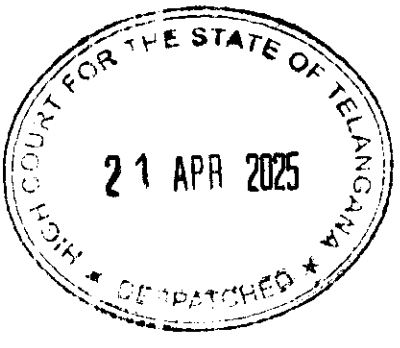
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HIGH COURT

DATED:28/03/2025

ORDER

ARBAPPL.No.21 of 2025



ALLOWING THE
ARBITRATION
APPLICATION

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