IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

FRIDAY, THE ELEVENTH DAY OF APRIL TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE THE ACTING CHIEF JUSTICE SUJOY PAUL

ARBITRATION APPLICATION NO: 48 OF 2025

Between:

Ms. Lekireddy Mrudula, D/o L. Narayana Reddy, Aged about 39 Years, Occ Household duties. R/o 12-3-976, Vidyuth Nagar, Near Indian Overseas Bank, Anantapur, Andhra Pradesh

...Applicants/Petitioners

AND

1. Pamayyagari Parameshwari, W/o. Late Pamayyagari Sathyanarayana, about 59 years, Housewife, R/o. H.No. 1-9-278/5/2/2,Balaji Nagar, Near Venkateswara Temple, Ramnagar Gundu, Hyderabad 500044, Telangana State
2. Pamayyagari Ramachander Goud, S/o. P. Arjun Goud, aged about 66 years, Occupation: Cultivation, R/o. H.No.6-12, Tellapur 502302, Telangana State
3. Pamayyagari Pradeep Goud, S/o. P. Ramachander Goud, aged about 35 years, Occupation. Cultivation, R/o. H.No.6-12, Tellapur 502302, Telangana State
4. Pamayyagari Hari Krishna Goud, S/o. Late Pamayyagari Arjun Goud, aged about 66 years, Occupation. Cultivation, R/o. H.No.6-11, Tellapur - 502302, Telangana State
5. Pamayyagari Pandu Goud, S/o. Late P. Gurulingam Goud, aged about 79 years, Occupation. Cultivation, R/o. H.No. 4-29, Tellapur 502302, Telangana State
6. Pamayyagari Bhoopal Goud, S/o. Sri. P. Pandu Goud, aged about 47 years, Occupation. Cultivation, H. No. 4-29, Tellapur 502302, Telangana State
7. Pamayyagari Venu Goud, S/o. Sri. P. Pandu Goud, aged about 43 years, Occupation. Cultivation, R/o. Beside Hanuman Temple, Tellapur 502302, Telangana State
8. Sri. Pamayyagari Karan Goud, S/o. Sri. (late) P. Gurulingam Goud, aged about 66 years, Occupation. Cultivation, H.No.4-30, Tellapur 502302, Telangana State
9. Pamayyagari Sridhar Goud, S/o. Sri. P. Karan Goud, aged about 44 years, Occupation. Cultivation, H.No.4-57/4, Near Pochamma Temple, Tellapur 502302, Telangana State

10. Pamayyagari Arun Goud, S/o. Sri. P. Karan Goud, aged about 43 years, Occupation. Cultivation. R/o. H.No.3-54/2A, Hanuman Temple, Tellapur 502302, Telangana State

11. Pamayyagari Santosh Goud,, S/o. Sri. P. Karan Goud aged about 41 years, Occupation. Cultivation, R/o. H. No. 4-30, Tellapur, Telangana State.

12. PAMAYYAGARI MEGHANATH GOUD, S/o. Sri (Late) P. Narayana Goud, aged about 56 years, Occupation. Cultivation, R/o. H.No.4-20, Tellapur 502302, Telangana State.

13. Pamayyagari Nishanth Goud, S/o. Meghanath Goud, aged about 30 years, Occupation. Cultivation, R/o. H.No.4-20, Tellapur 502302, Telangana State

14. Sri. Pamayyagari Vishal Goud, S/o. Sri Meghanath Goud, aged about 28 years, Occupation. Cultivation, H. No.4-20, Beside Hanuman Temple, Tellapur 502302. Telangana State

15. Sri Pamayyagari Narsing Rao (Babu Goud), s/o. Sri. (late) Pamayyagari Venkat Krishnaiah Goud. about 63 years, Occupation. Cultivation, resident of 9-3/1, Ramachandrapuram, Tellapur. Sangareddy District, Telangana State

16. Sri. Pamayyagari Harish Goud, s/o. Sri. P. Narsing Rao Goud, about 36 years, Occupation. Cultivation, resident of 9-3/1, Ramachandrapuram, Tellapur, Sangareddy District, Telangana State

17. Sri. Pamayyagari Avinash Goud,, s/o. Sri. P. Narsing Rao Goud, aged about 32 years, Occupation. Cultivation, resident of 9-3/1, Ramachandrapuram, Tellapur, Sangareddy District, Telangana State

18. Sri. Pamayyagari Surender Goud, s/o. Sri. (late) Pamayyagari Venkat Krishnaiah Goud, about 50 years, Occupation. Cultivation, resident of 9-3/1, Ramachandrapuram, Tellapur, Sangareddy District, Telangana State

19. SAHITI CONSTRUCTIONS, a registered Partnership Firm having its principal place of business at Plot No. 1222, H.NO. 8-2-293/82/A/1222/ F4, Fourth Floor, Road No. 36, Jubilee Hills, Hyderabad 500 033, Telangana State, represented by its Partner, Smt. B. Parvathi, W/o. B Lakshmi Narayana, Hyderabad 500081, Telangana State. **...Respondents**

Arbitration Application filed under Section 11 (6) of the Arbitration and Conciliation Act. 1996 praying that this Hon'ble Court may be pleased to appoint a Sole Arbitrator for the purpose of adjudication of the disputes that have arisen between Applicant and the Respondents 1 to 19 in respect of the terms of the Agreement of Sale dated 31/03/2022. Lest serious loss would ensue to Applicant.

Counsel for the Petitioner : Ms. V. Soubhagya Valli representing
Sri. V Seetharama Avadhani
Counsel for the Respondents : None appeared

The Court made the following: ORDER

THE HON'BLE THE ACTING CHIEF JUSTICE SUJOY PAUL

ARBITRATION APPLICATION No.48 of 2025

ORDER:

Ms.V.Soubhagya Valli, learned counsel appearing for Sri V.Seetharama Avadhani, learned counsel for the applicant and none appeared for the respondents, despite service of notice.

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

3. Learned counsel for the applicant submits that this matter is covered by the order of this Court in Arbitration Application No.19 of 2025, dated 21.03.2025 wherein the respondents and the arbitration clause are same as those in the current application.

4. Since, the respondents have not chosen to enter appearance despite service, the matter is finally heard.

5. This Court in Arbitration Application No.19 of 2025 dated 21.03.2025 recorded as under:-

> "Mrs. V. Soubhagya Valli, learned counsel representing Sri V. Seetharama Avadhani, learned counsel for the applicant.

None for the respondents, despite service of notice.

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

3. Admittedly, the parties have entered into an Agreement for Sale dated 15.03.2022. Learned counsel for the applicant drawn the attention of this Court on the arbitration clause which reads thus:

> "10. In case of any dispute arise between the parties, have to settle amicable in the event of any failure to settle the dispute or difference shall be referred to the arbitrator and the arbitration proceedings will be conducted according to the provisions of the Indian Arbitration and Conciliation Act, 1996. The arbitration award will be binding upon the both the parties and final. The place of arbitration will be at Hyderabad and proceedings will be in English."

4. When the dispute has arisen between the parties, the applicant got issued a legal notice dated 28.10.2024 to the respondents for appointment of Arbitrator, but the same could not fetch any result.

5. Nobody has entered appearance for the respondents despite service of notice. It appears that there exist disputes between the parties which need to be resolved through Arbitration procedure, as per the dispute resolution clause.

6. Earlier, in A.A. No. 99 of 2024, wherein the respondents are the same as those in the current application, this Court, by an order dated 11.07.2024, appointed Dr. Justice Shameem Akhter, a former Judge of this Court, as the sole arbitrator to adjudicate the disputes between the parties.

7. Therefore, in the instant case also, Dr. Justice Shameem Akhter, a former Judge of this Court (resident of Flat No.6F, Sixth Floor, Mayfair Apartment, Block-B, H.No.8-2-269/3/MF/F-6, Road No.2, Banjara Hills, Sri Nagar Colony, Hyderabad-35; Mobile No.8331998534), is appointed as sole arbitrator to adjudicate the dispute between the parties.

> 8. The parties shall appear before the sole arbitrator on 05.04.2025 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.

6. Since, this arbitration application is shown to be similar to the aforesaid case and there exists an arbitration clause, a live dispute between the parties, I deem it proper to allow this arbitration application on the same terms as in Arbitration Application No.19 of 2025 dated 21.03.2025.

7. Therefore, Dr. Justice Shameem Akhter, a former Judge of this Court (resident of Flat No.6F, Sixth Floor, Mayfair Apartment, Block-B, H.No.8-2-269/3/MF/F-6, Road No.2, Banjara Hills, Sri Nagar Colony, Hyderabad-35; Mobile No.8331998534) is appointed as sole arbitrator to resolve the disputes between the parties.

8. The parties shall appear before the sole arbitrator on 30.04.2025 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

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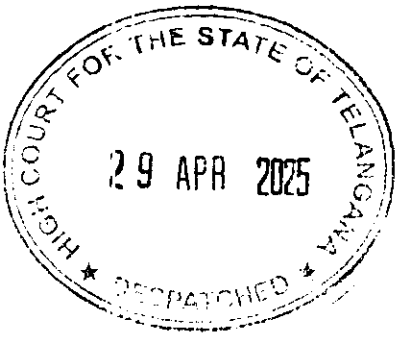
SECTION OFFICER

To,

1. Dr. Justice Shameem Akhter, former Judge of High Court of Telangana, Resident of Flat No. 6F, Sixth floor, Mayfair Apartment, Block-B, H. No. 8-2-269/3/MF/F-6, Road No. 2, Banjara Hills, Sri Nagar Colony, Hyderabad – 35, Mobile No. 8331998534 **(By Special Messenger) (Along with a Copy of affidavit and material papers)**
2. Pamayyagari Parameshwari, R/o. H.No. 1-9-278/5/2/2,Balaji Nagar, Near Venkateswara Temple, Ramnagar Gundu, Hyderabad 500044, Telangana State
3. Pamayyagari Ramachander Goud, R/o. H.No.6-12, Tellapur 502302, Telangana State
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5. Pamayyagari Hari Krishna Goud, R/o. H.No.6-11, Tellapur - 502302, Telangana State
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13. Pamayyagari Meghanath Goud, R/o. H.No.4-20, Tellapur 502302, Telangana State.
14. Pamayyagari Nishanth Goud, R/o. H.No.4-20, Tellapur 502302 Telangana State
15. Sri. Pamayyagari Vishal Goud, H. No.4-20, Beside Hanuman Temple, Tellapur 502302. Telangana State
16. Sri Pamayyagari Narsing Rao (Babu Goud), resident of 9-3/1, Ramachandrapuram, Tellapur. Sangareddy District, Telangana State
17. Sri. Pamayyagari Harish Goud, resident of 9-3/1, Ramachandrapuram, Tellapur, Sangareddy District, Telangana State
18. Sri. Pamayyagari Avinash Goud, resident of 9-3/1, Ramachandrapuram, Tellapur, Sangareddy District, Telangana State
19. Sri. Pamayyagari Surender Goud, resident of 9-3/1, Ramachandrapuram, Tellapur, Sangareddy District, Telangana State
20. Partner, Smt. B. Parvathi, W/o. B Lakshmi Narayana,Sahiti Constructions, a registered Partnership Firm having its principal place of business at Plot No. 1222, H.NO. 8-2-293/82/A/1222/ F4, Fourth Floor, Road No. 36, Jubilee Hills, Hyderabad 500 033, Telangana State, represented by its Hyderabad 500081, Telangana State.
21. One CC to Sri. V Seetharama Avadhani Advocate [OPUC]
22. Two CD Copies

HIGH COURT

DATED:11/04/2025



ORDER

ARBAPPL.No.48 of 2025

ALLOWING THE ARBITRATION APPLICATION

24 open
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29/4/25