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: 9 OF 2025

Between:

1. Anthati Narender, S/o. Late. A. Varadharaju, Aged about 71 years, Occ. Pensioner, R/o. Pensioner, R/o. H.No.2-3-586, Sai Nagar Colony, Nagole, Hyderabad.
2. Nallenki Dhanraj Goud, S/o. Late. N. Papaiah, Aged about 48 years, Occ . Business, R/ o. H.No.11-18-61/ 2, Road No.5, Sri Venkateswara Colony, Bhagath Singh Nagar, Saroornagar, Hyderabad.
3. K. Naveen Kumar, S/ o. Late. K. Saidulu, Aged about 40 years, Occ. Business, R/o. Flat No.103, H.No.1-9-312/5/12, Lahari Apartments, Vidyanagar, Hyderabad.
4. Anthati Shasheel, S/ o. A. Narender, Aged about 36 years, Occ. Business, R/o. H.No.2-3-586, Sai Nagar Colony, Nagole, Hyderabad.

...Applicants

AND

M/s. Sri Bhuvana Builders and Developers, Rep. by its Managing Partner K. Vijay Ram, S/ o. K.N. Das, aged about 52 years, Occ. Business, R/o. Flat No.501, H.No.2-2-18/41/2, D.D. Colony, Raja Rajeshwara Abode, Near Ahobil Mutt, Bagh Amberpet, Hyderabad. **...Respondent**

Arbitration Application filed under Section 11 (6) of the Arbitration and Conciliation Act, 1996 R/W Para(i)(c) of the Scheme for Appointment of Arbitrator, 1996 praying that this Hon'ble Court may be pleased to appoint an Arbitrator in Hyderabad to enter into reference and adjudicate all disputes between the Petitioner and Respondent in relation to all the disputes arising out of Registered Development Agreement Cum General Power of Attorney document No.2612 of 2019 dated 13-5-2019 and including issue of award of damages for the injury and loss caused to the applicants.

Counsel for the Applicants : Sri. Ramakrishna k
Counsel for the Respondent : None appeared

The Court made the following: ORDER

THE HON'BLE THE ACTING CHIEF JUSTICE SUJOY PAUL

ARBITRATION APPLICATION No.9 of 2025

ORDER:

Sri Ramakrishna K, learned counsel for the applicants and none appeared for the respondent, 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. Heard the learned counsel for the applicant.

4. Admittedly, the parties have entered into Development Agreement-cum-General Power of Attorney, dated 13.05.2019. Learned counsel for the applicant has drawn the attention of this Court to the arbitration clause i.e., clause 5 of the said agreement, which reads thus:

> "5. In case of any disputes arising between the parties hereto touching these presents the matter shall be referred to the Arbitrators one chosen by each party and in case of any difference of opinion between such arbitrators they shall nominate a common umpire and his Award shall be final and binding on both the parties and the relevant provisions of the Arbitration Act, 1996 shall apply."

5. When the dispute has arisen between the parties, the applicant sent a legal notice dated 11.10.2023 and the other side filed reply, but, did not object regarding existence of arbitration clause and need for appointment of arbitrator.

6. Nobody has entered appearance for the respondent despite service of notice. The pleadings show that there exists a dispute and clause 5 of the Development Agreement-cum-General Power of Attorney, dated 13.05.2019, shows that there exists a dispute resolution mechanism. The applicant has fulfilled the formality. Thus, necessary ingredients to appoint an arbitrator are satisfied.

7. Therefore, Sri G.V. Subrahmanyam, former District Judge (resident of Villa No.115, Bandlaguda Jagir, Maple Township, Suncity, Rajendranagar, Ranga Reddy District-500086; Mobile No.9440839162) is appointed as sole arbitrator to resolve the disputes between the parties.

8. The parties shall appear before the sole arbitrator on 26.04.2025 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

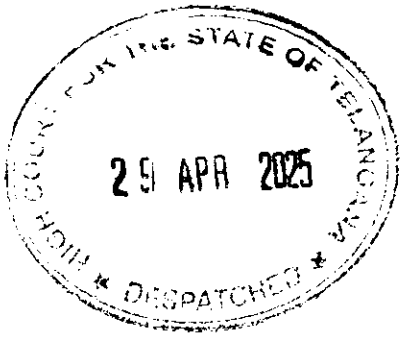
To,

1. Sri G.V. Subrahmanyam, Former District judge, resident of Villa No. 115, Bandlaguda Jagir, Maple Township, Suncity, Rajendranagar, Ranga Reddy District – 500086, Mobile No. 9440839162. **(By Special Messenger) (Along with a Copy of affidavit and material papers)**
2. The Managing Partner K. Vijay Ram, S/ o. K.N. Das, M/s. Sri Bhuvana Builders and Developers, aged about 52 years, Occ. Business, R/o. Flat No.501, H.No 2-2-18/41/2, D.D. Colony, Raja Rajeshwara Abode, Near Ahobil Mutt, Bagh Amberpet, Hyderabad.
3. One CC to Sri. Ramakrishna K, Advocate [OPUC]
4. **Two CD Copies**

DL/gh

HIGH COURT

DATED:11/04/2025



ORDER

ARBAPPL.No.9 of 2025

ALLOWING THE ARBITRATION APPLICATION

22/4/25