IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

FRIDAY, THE TWENTY FIRST DAY OF NOVEMBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE THE CHIEF JUSTICE APARESH KUMAR SINGH

ARBITRATION APPLICATION NO: 139 OF 2025

Between:

Mr. K.S.Baburaj, s/o late Sri K.Chinnappa Mudaliar, aged about 71 years, Occ. Contractor r/o 12/14, 3rd Cross Street, Karpagam Garden, Adyar, Chennai-600020.

...APPLICANT

AND

1. Union of India, rep. by The General Manager, South Central Railway Rail Nilayam, Secunderabad-500003.
2. The Divisional Manager/Works/SC, 2 Floor, Sanchalan Bhavan, South Central Railway, Secunderabad- 500003.
3. The Principal Chief Engineer, Rail Nirman Bhavan, South Central Railway Secunderabad-500003
4. The Senior Divisional Engineer (Coord.), Rail Nirman Bhavan, South Central Railway, Secunderabad-500003. **...RESPONDENTS**

Arbitration Application filed Under Section 11(5) & (6) of Arbitration and Conciliation Act, 1996 and Rules framed under there praying that this Hon'ble Court may be pleased to constitute an arbitral tribunal by a former judge of this Court as sole arbitrator to resolve the disputes that arose in respect of agreement dated 18.04.2022.

Counsel for the Petitioner: SRI. PRASAD RAO VEMULAPALLI

Counsel for the Respondent: Ms. L. PRANATHI REDDY, Senior Standing Counsel for Central Government

The Court made the following ORDER:

Order:

Heard Mr Prasad Rao Vemulapalli, learned counsel for the applicant and Ms. L. Pranathi Reddy, learned Senior Standing Counsel for Central Government appearing for the respondents.

Learned counsel for the applicant submits that the demand for arbitration under Clause 64 of the Standard General Conditions of South Central Railway (GCC) under Contract Agreement of Works dated 18-04-2022 for adjudication of the dispute claims raised by the applicant has been responded only by asking them to waive the right to appoint an Arbitrator *vide* letter dated 01-04-2025 issued by the respondents/ Railways. The applicant has, therefore, approached this Court under Section 11 (5) and (6) of the Arbitration and Conciliation Act, 1996 and Rules framed thereunder for appointment of an independent arbitrator.

Upon notice, the respondents-Railways have appeared and filed their counter-affidavit.

Learned Senior Standing Counsel for Central Government submits that the respondents are agreeable to appointment of an Arbitrator as per Clause 64 of the Standard General Conditions of South Central Railway, by this Court to adjudicate the dispute between the parties.

In view of the consensus between the parties on the issue of appointment of an independent Arbitrator by this Court in respect of the dispute arising under the Contract Agreement of Works dated 18-04-2022, this Court proposes to appoint Mr. Justice L. Narasimha Reddy, former Chief Justice of Patna High Court (r/o. H.No. 2-2-25/3/3, Durgabai Deshmukh Colony, near O.U. Campus, Baghamberpet, Hyderabad – 13 ; Ph. No. 040-27406364; Mobile No. 9440621406, as independent Arbitrator to adjudicate the dispute between the parties.

The proposed Arbitrator is requested to submit his consent and a declaration in terms of Section 12 (1) read with Schedule VI of the Arbitration and Conciliation Act, 1996.

Registry is directed to communicate this order to the proposed Arbitrator.

The matter be listed after two weeks with the response, if any, of the proposed Arbitrator.

SD/- A.V.S.S.C.S.M.SARMA
JOINT REGISTRAR

//TRUE COPY//

SECTION OFFICER

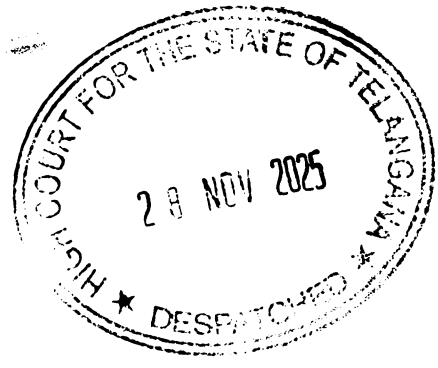
To

1. Hon'ble Sri Justice L. NARASIMHA REDDY, former Chief Justice of Patna High Court, R/o. H.No. 2-2-25/3/3, Durgabai Deshmukh Colony, near O.U. Campus, Baghamberpet, Hyderabad – 13; Ph.No. 040-27406364; Mobile No. 9440621406 (By Special Messenger) (along with a copy of affidavit and material papers)
2. The S.O. O.S. Section, High Court for the State of Telangana at Hyderabad
3. One CC to SRI. PRASAD RAO VEMULAPALLI Advocate [OPUC]
4. One CC to Ms. L. PRANATHI REDDY ,Sr. SC FOR CENTRAL GOVT [OPUC]
5. Two CD Copies

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HIGH COURT

DATED:21/11/2025



NOTE TO O.S. SECTION

List after two weeks

ORDER

ARBITRATION APPLICATION No.139 of 2025

DIRECTION

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27/11/25