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 HON'BLE THE CHIEF JUSTICE APARESH KUMAR SINGH

ARBITRATION APPLICATION NO: 150 OF 2025

Between:

Apollo Health and Lifestyle Limited, CIN: U85110TG2000PLC115819, Having its Registered new Office at: 7-1-617/A, 615 & 616, Imperial Towers, 7th Floor, Ameerpet, Hyderabad, Telangana 500038.
Through its Authorized Signatory, Mr. V. Ajay Gopal, Manager-Legal.

...Applicant

AND

Adarsh Laboratory, Represented by its Sole Proprietor Mrs. Maimuna Khatoon, Hospital Road, Bettiah, Dist: West Champaran - 845438, Bihar, India.

...Respondent

Arbitration Application under Section 11(5) & (6) of the Arbitration and Conciliation Act, 1996 r/w Scheme for Appointment of Arbitrator, 1996 praying that this Hon'ble Court may be pleased to:

(i) Appoint a sole arbitrator to adjudicate the claims and disputes between the Applicant and the Respondent pursuant to the Diagnostic Services Agreement dated 28-05-2018; and

(ii) Award the costs of application.

Counsel for the Applicant: Mr. Vasishta, counsel representing Ms. Sirnapelly Pooja

Counsel for the Respondent: Mr. Sasidhar Vemmi, counsel representing Mr. S.N. Chidambara Sastry

The Court made the following: ORDER

THE HON'BLE THE CHIEF JUSTICE SRI APARESH KUMAR SINGH

Arbitration Application No.150 of 2025

Order:

Heard Mr. Vasishta, learned counsel representing Ms. Sirnapelly Pooja, learned counsel for the applicant and Mr. Sasidhar Vemmi, learned counsel representing Mr. S.N.Chidambara Sastry, learned counsel for the respondent.

2. By order dated 31.10.2025, this Court proposed to appoint Mr. Justice Abhinand Kumar Shavili, a former Judge of this Court as an independent Arbitrator to adjudicate the dispute between the parties. The order dated 31.10.2025 is extracted hereunder for easy reference:

> "Heard Ms. Aditi Karra, learned counsel representing Ms. Sirnapelly Pooja, learned counsel for the applicant and Mr. S.N.Chidambara Sastry, learned counsel for the respondent, who appeared through video conference.
>
> Learned counsel for the applicant submits that the applicant has invoked the arbitration clause No.11 under the Diagnostics Service Agreement dated 28.05.2018 entered into between the respondent and the applicant and served a

notice upon the respondent on 21.04.2025 raising a claim of Rs.36,53,591/-. The respondent issued reply dated 07.05.2025 stating that due to the actions of the applicant, it has suffered loss of Rs.1.6 crores. Thereafter, the applicant issued rejoinder dated 20.05.2025 invoking the arbitration clause. Since the respondent has not agreed to the appointment of an arbitrator through reply dated 07.05.2025 and denied the claim, the applicant has invoked the jurisdiction of this Court under Section 11(5) and (6) of the Arbitration and Conciliation Act, 1996 for appointment of an independent arbitrator.

Learned counsel Mr. S.N.Chidambara Sastry has appeared for the respondent. He has, on instructions, submitted that the claim on merits is being disputed by the respondent, but it did not object to the appointment of an independent arbitrator, as otherwise the existence of the agreement and notice invoking arbitration clause in respect of the alleged dispute is not denied. Respondent would take defence in the arbitration proceedings upon appointment of an Arbitrator by this Court.

I therefore propose to appoint Mr. Justice Abhinand Kumar Shavili, a former Judge of this Court (Resident of Door No.10-3-555, Vijayanagar Colony, near Andhra Bank Chowrasta, Hyderabad-57, Mobile No.9440896303) as an independent arbitrator on behalf of the respondent 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) of the Act read with Schedule VI of the Act.

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."

3. The proposed Arbitrator has submitted his consent along with a declaration under Section 12(1) read with Schedule VI of the Arbitration and Conciliation Act, 1996 (for short 'the Act') by letter dated 07.11.2025.

4. Learned counsel for the applicant, therefore, submits that appointment of the proposed Arbitrator may be confirmed.

5. In that view of the matter, I hereby appoint Mr. Justice Abhinand Kumar Shavili, a former Judge of this Court (Resident of Door No.10-3-555, Vijayanagar Colony, near Andhra Bank Chowrasta, Hyderabad-57, Mobile No.9440896303), to act as an independent Arbitrator in respect of the dispute between the parties.

6. Registry is directed to serve a xerox copy of the entire pleadings to the learned Arbitrator. The learned Arbitrator is requested to keep in mind the fee prescribed in Schedule IV of the Act and the time limit prescribed under Section 29A of the Act.

7. The Arbitration Application is, accordingly, disposed of.

Miscellaneous applications pending, if any, shall stand closed.

SD/- R.KARTHIKEYAN
JOINT REGISTRAR

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SECTION OFFICER

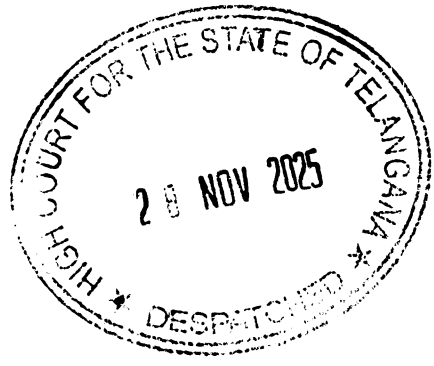
To,

1. Mr. Justice Abhinand Kumar Shavili, a former Judge, High Court for the State of Telangana at Hyderabad (Resident of Door No.10-3-555, Vijayanagar Colony, near Andhra Bank Chowrasta, Hyderabad – 57, Mobile No.9440896303) **(By Special Messenger)(Along with a copy of affidavit and material papers)**
2. One CC to Ms. Sirnapelly Pooja, Advocate [OPUC]
3. One CC to Mr. S.N. Chidambara Sastry, Advocate [OPUC]
4. Two CD Copies

Kam/PSL

HIGH COURT

DATED:21/11/2025



ORDER

ARBAPPL.No.150 of 2025

DISPOSING OF THE ARBITRATION APPLICATION

27/11/25