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: 49 OF 2025

Between:

M/s Aelite Logistics and Marketing Pvt. Ltd., Having its Corporate Office at 1st Floor, Venkateshwaraa Arcade, Plot No.1, NH.65, Srinivasa Colony, Hayathnagar Main Road, Hyderabad-501505, Telangana, Rep. by its Authorized Signatory Mr. Md. Razeeuddin.

...Applicant

AND

1. Vanasri Crop Care Pvt. Ltd., Having its Registered/Corporate Office at. D.No.10-61/3/B/2, Bommakal, Karimnagar- 505001, Telangana, Rep. by its Director.
2. Vanasri Crop Care Pvt. Ltd., Having its Registered/Corporate Office at. H.No.2-66/23/1, Choppadandi Mandal, Katnepalle, Karimnagar, Telangana- 505531, Rep. by its Director.
3. Vanasri Crop Care Pvt. Ltd., Having its Registered/Corporate Office at: C Block, Flat G5, Golden Oriole, Opp. BRC Shivahills, Puppalaguda, VTC: Puppalaguda, Dist. K.V Rangareddy, Telangana- 500089, Rep. by its Director.
4. Vanasri Crop Care Pvt. Ltd., Having its Registered/Corporate Office at. 2-115/1, Chelgal, Jagtial Mandal, VTC: Chelgal, PO: Chelgal, Sub Dist. Jagtial, Dist. Karimnagar, Telangana- 505455, Rep. by its Director.
5. Vanasri Crop Care Pvt. Ltd., Having its Registered/Corporate Office at: House No.F-G 01, F-Block, Mayfair Apartments, Tellapur, Dist. Sangareddy- 502032.

...Respondents

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 appoint an arbitrator in accordance with Clause 27 of the Distributor Agreement read with Section 11 of the Arbitration and Conciliation Act, 1996, to adjudicate the disputes arising between the parties, including but not limited to the outstanding payments along with interest at the rate of 18% till the date of realization thereof, and related breaches.

Counsel for the Applicant: Mr. Vasishta, counsel appears for Ms. K.S. Manaswi

Counsel for the Respondents: Mr. Hirendernath

The Court made the following: ORDER

THE HON'BLE THE CHIEF JUSTICE SRI APARESH KUMAR SINGH

ARBITRATION APPLICATION No. 49 of 2025

ORDER:

Mr. Vasishta, learned counsel appears for Ms. K.S. Manaswi, learned counsel for applicant.

2. By order dated 01.08.2025, this Court proposed to appoint Sri Justice G. Raghuram, a former High Court Judge, as an independent Arbitrator to adjudicate the dispute between the parties. The said order is extracted hereunder for easy reference:

> "Mr. Venancio D'Costa, learned counsel representing Ms. K.S.Manaswi, learned counsel for the applicant appeared through video conference.
>
> Mr. Manideep Madhavarapu, learned counsel for respondent No.1 appeared through video conference.
>
> Heard learned counsel for the applicant and learned counsel for respondent No.1.
>
> The parties have entered into a Distributor Agreement dated 17.12.2021. The applicant company claims to be supplying products, materials from time to time and has raised invoices on the respondent company which have remained unpaid for the period from 24.04.2024 to 30.09.2024. Certain cheque issued towards discharge of their outstanding dues were not honoured due to insufficient fund, which led to initiation of proceedings under Section 138 of the Negotiable Instruments Act, 1881. In respect of outstanding dues of Rs.3,12,55,880/- claimed by the applicant company, a notice was issued on 15.01.2025 invoking the arbitration clause 27 under the Distributor Agreement dated 17.12.2021, Annexure A-3, proposing three names for

being appointed as Arbitrators to the respondents. Respondents in reply *vide* letter dated 28.01.2025, Annexure A-9, have denied the allegations relating to the outstanding dues and have also rejected the proposal for appointment of any of the three nominees mentioned by the applicant. Thereafter, the applicant has preferred this application under Section 11(5) and (6) of the Arbitration and Conciliation Act, 1996 read with Scheme for appointment of Arbitrator, 1996.

After notice, respondent No.1 has appeared through Mr. Manideep Madhavarapu, learned counsel.

Learned counsel for respondent No.1 has stated, upon instructions, that the respondents do not object to an appointment of an independent Arbitrator by this Court on the subject dispute.

Learned counsel for the parties therefore submit that this Court may appoint the Former Judge of the High Court to adjudicate the dispute between the parties as an independent Arbitrator.

Upon hearing learned counsel for the parties and in view of the stand of the respondents, this Court proposes to appoint Sri Justice G.Raghuram, a former High Court Judge (residing at Plot No.1099, Road No.36, Jubilee Hills, Hyderabad-33, Phone No.9818839212, 9440621412), as an 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."

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'), *vide* letter dated 06.11.2025.

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 Sri Justice G.Raghuram, a former High Court Judge (residing at Plot No.1099, Road No.36, Jubilee Hills, Hyderabad-33, Phone No.9818839212, 9440621412), 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. There shall be no order as to costs.

Miscellaneous applications, if any pending, shall stand closed.

SD/- R.KARTHIKEYAN
JOINT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To,

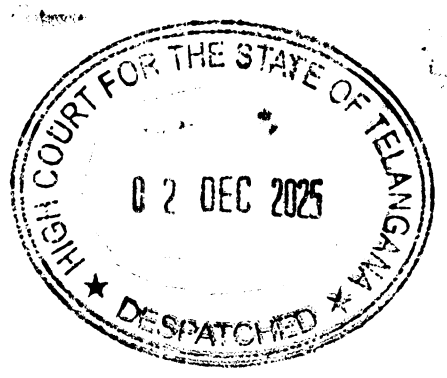
1. Sri Justice G. Raghuram, a former High Court Judge (residing at Plot No.1099, Road No.36, Jubilee Hills, Hyderabad – 33, Phone No.9818839212, 9440621412) **(By Special Messenger) (Along with a Copy of affidavit and material papers)**

2. One CC to Ms. K.S. Manaswi, Advocate [OPUC]
3. One CC to Mr. Hirendernath, Advocate [OPUC]
4. Two CD Copies

Kam/PSL

HIGH COURT

DATED:21/11/2025



ORDER

ARBAPPL.No.49 of 2025

DISPOSING OF THE ARBITRATION APPLICATION

GNT
1.12.25