

**IN THE HIGH COURT FOR THE STATE OF TELANGANA  
AT HYDERABAD**

**FRIDAY ,THE EIGHTH DAY OF NOVEMBER  
TWO THOUSAND AND TWENTY FOUR**

**PRESENT**

**THE HONOURABLE THE CHIEF JUSTICE ALOK ARADHE**

**ARBITRATION APPLICATION NO: 230 OF 2024**

**Between:**

Batchu Prasad, S/o Late Batchu Janardhan, aged about 46 years, R/o  
H.No.17-1-382/N113, Nagarjuna Colony, Hyderabad-500079.

**...Petitioner**

**AND**

1. Batchu Praveen, S/o Late Batchu Janardhan, Aged about 47 years, R/o  
H.No.8-4-17/142, Sai Ram Nagar Colony, Saidabad, Hyderabad-500079.
2. Batchu Pushpakala, W/o Late Batchu Janardhan, Aged about 66 years, R/o  
H.No.16-2-738/C/4, T.V. Tower, Malkapet, Hyderabad-500036.

**...Respondents**

Arbitration Application filed under Section 11(5) & (6) of Arbitration &  
Conciliation Act, 1996 praying that this Hon'ble Court may be pleased to appoint  
an Arbitrator to resolve the dispute between the Applicant and respondents  
arising out of partnership deed dated 01.04.2009.

**Counsel for the Applicant : Mr. K. Vasanth Rao**

**Counsel for Respondents : Mr. N. Pramod**

**The Court made the following: ORDER**

**THE HON'BLE THE CHIEF JUSTICE ALOK ARADHE**

**ARBITRATION APPLICATION No.230 of 2024**

**ORDER:**

Mr. K.Vasanth Rao, learned counsel for the applicant.

Mr. N.Pramod, learned counsel for the respondents.

2. This application is filed under Section 11(5) and (6) of the Arbitration and Conciliation Act, 1996 (hereinafter referred to as "the Act"). The applicant seeks appointment of an arbitrator to resolve the dispute between the parties.

3. The parties have entered into Partnership Deed dated 01.04.2009. Clause 12 thereof contains an arbitration clause and the same is extracted below for the facility of reference:

"12. In case of dispute(s) among the partners the same shall be referred to arbitration. Each party to the dispute shall be entitled to appoint one arbitrator each and the decision of the arbitrator/Umpire, as the case may be, shall be final and binding on all the partners."



4. A dispute has arisen between the parties. The applicant invoked the arbitration clause and sent a notice under Section 21 of the Act dated 17.07.2024 to respondent No.1, but respondent No.1 has failed to respond to the aforesaid notice.

5. The dispute that has arisen between the parties needs to be resolved in the manner agreed to by the parties under Partnership Deed dated 01.04.2009.

6. The parties have no objection if the sole Arbitrator is appointed.

7. In view of aforesaid submission and taking into account the fact that admittedly an agreement namely Partnership Deed dated 01.04.2009 exists between the parties, which has an arbitration clause, Mr. Justice Challa Kodanda Ram, a former Judge of this Court (resident of Plot No.68, Road No.71, Phase III, Jubilee Hills, Hyderabad-34; Mobile No.8331010695) is appointed as sole arbitrator to adjudicate the dispute between the parties. The parties shall

appear before the Arbitrator along with a copy of this order. Thereupon, the sole arbitrator shall proceed with the arbitral proceedings in accordance with law.

8. Accordingly, the Arbitration Application is allowed.

Miscellaneous applications pending, if any, shall stand closed. However, there shall be no order as to costs.

**Sd/- C.V. MALLIKARJUNA VARMA**  
**JOINT REGISTRAR**

**//TRUE COPY//**

**SECTION OFFICER**

To,

1. Mr. Justice Challa Kodanda Ram, former Judge of Telangana High Court (resident of Plot No. 68, Road No. 71, Phase III, Jubilee Hills, Hyderabad-34; Mobile No. 8331010695) (By Special messenger) (along with a copy of affidavit and material papers)
2. One CC to Mr. K. Vasanth Rao, Advocate [OPUC]
3. One CC to Mr. N. Pramod, Advocate [OPUC]
4. Two CD Copies

Njb/gh

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**HIGH COURT**

**DATED:08/11/2024**



**ORDER**

**ARBAPPL.No.230 of 2024**

**ALLOWING THE ARBITRATION APPLICATION**

*6 copies  
for  
19/11/24*