

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

**THURSDAY, THE THIRTIETH DAY OF APRIL  
TWO THOUSAND AND TWENTY**

**PRESENT**

**THE HONOURABLE SRI JUSTICE A. RAJASHEKER REDDY**

**ARBITRATION APPLICATION NO: 132 OF 2019**

**Between:**

Everest Industries Ltd., A company having its registered office At D-206, Sector-63, Noida-201301, Uttar Pradesh Rep. By its Authorized Signatory Mr. Manish Tekriwal  
**...APPLICANT**

**AND**

MW High Tech Projects India Pvt Ltd., (A company of the M+W Group), Awfis Space Solutions Pvt Ltd., 6th Floor, NN Infra Projects LLP, Plot No. 38, Sy.No. - 64, Madhapur, Hyderabad-500081  
**...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 in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to

- i) To appoint an Arbitrator on behalf of the Respondent to adjudicate the Claims and disputes between the Applicant and Respondent
- ii) Consequently direct the two Arbitrators to appoint a Presiding Arbitrator for the purpose of adjudicating the Claims and disputes between the Applicant and Respondent
- iii) Or in the alternative, appoint a Sole Arbitrator for the purpose of adjudicating the Claims and disputes between the parties.

**Counsel for the Applicant :SRI K. V. RUSHEEK REDDY**

**Counsel for the Respondent: SRI AVINASH DESAI**

**The Court made the following: ORDER**

**THE HON'BLE SRI JUSTICE A. RAJASHEKER REDDY**

**ARBITRATION APPLICATION No.132 of 2019**

**ORDER:**

This application is filed under Section 11 (5) & (6) of the Arbitration and Conciliation Act, 1996, seeking to appoint an arbitrator for resolution of disputes between the applicant and the respondent.

2. Heard the learned counsel for the applicant as well as the learned counsel for the respondent.

3. Learned counsel for the respondent submits that the respondent has no objection for nominating a retired Judge of the High Court as an Arbitrator in the present matter for resolution of disputes between the applicant and the respondent. However, the learned counsel for the respondent submits that the objection regarding the issue of jurisdiction may be kept open.

4. In view of the above, the arbitration application needs to be allowed and accordingly, the same is allowed appointing Sri Justice N.Ravi Shankar, Former High Court Judge. It is left open to the parties to raise all objections before the learned Arbitrator.

5. The learned Arbitrator is entitled to fees as per the rates specified in the Fourth Schedule to the Act of 1996, inserted by Act 3 of 2016 with effect from 23.10.2015, which shall be borne by both parties in equal proportion.

Pending miscellaneous petitions shall also stand closed.

There shall be no order as to costs.

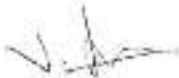
SD/-M.SHANTHI VARDHINI  
JOINT REGISTRAR

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SECTION OFFICER

To

1. Sri Justice N. Ravi Shankar, Former High Court Judge  
H.No. 1-96/1, Prabath Nagar, Caitanyapuri, Near Ganga Hospital ,  
Hyderabad 500 060 ( By Special Messenger ) ( along with a copy  
of affidavit and material papers)
2. One CC to SRI. RUSHEEK REDDY K. V. Advocate [OPUC]
3. One CC to SRI. AVINASH DESAI, Advocate [OPUC]
4. Two CD Copies



HIGH COURT

DATED:30/04/2020



ORDER

ARBITRATION APPLICATION No.132 of 2019

ALLOWING THE ARBITRATION APPLICATION

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via  
4/6/20