

IN THE HIGH COURT FOR THE STATE OF TELANGANA  
AT HYDERABAD

FRIDAY, THE TWENTY EIGHTH DAY OF MARCH  
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE THE ACTING CHIEF JUSTICE SUJOY PAUL

ARBITRATION APPLICATION NO: 321 OF 2024

Between:

M/s Rani Constructions Private Limited, Having its Corporate Office at 413,  
Navketan Complex, S.D. Road, Secunderabad - 500 003 represented by its  
Authorized Signatory, Sri Galla Shree Hari.

...Applicant

AND

Sharvani Energy Private Limited, S.V.Mansion, No. 12-13-416 Street No.1,  
Tarnaka, Hyderabad Telangana -500008 Represented by its Managing Director  
N. Prashanth Rao.

...Respondent

Arbitration Application Under Section 11 (6) of the Arbitration and Conciliation Act, 1996 praying that this Hon'ble Court may be pleased to appoint a nominee arbitrator on behalf of the Respondent to act as a joint arbitrator along with Sri Murahari Reddy, Engineer-in-Chief (Retd), R and B of erstwhile Government of Andhra Pradesh, C-77, Madhuranagar Colony, Hyderabad - 500038, TS so that both of them could in turn appoint the presiding arbitrator for adjudicating the disputes the details of which are set out in the Paragraph-j of Appendix-I of the present petition and grant such other relief or reliefs to which the Applicant is entitled to in the facts and circumstances of the case.

Counsel for the Applicant : Sri. S Rajan

Counsel for the Respondent : None appeared

The Court made the following: ORDER

**THE HON'BLE THE ACTING CHIEF JUSTICE SUJOY PAUL**

**ARBITRATION APPLICATION No.321 of 2024**

**ORDER:**

Sri S.Rajan, learned counsel for the applicant and none appeared for the respondent.

2. The notice issued to the respondent came back unclaimed. Thus, the notice is treated to be served on the respondent.

3. Learned counsel for the applicant submits that a dispute arose between the parties which is mentioned in detail in the present application

4. Admittedly, the parties have entered into an agreement dated 18.10.2019. Learned counsel for the applicant drawn the attention of this Court to Article 8 of the said agreement governing the law and dispute resolution and arbitration clause 8.3.1 thereof reads thus:

"8.3.1 In case of Dispute or difference arising between the Employer and a contractor relating to any matter arising out of or connected with this agreement, such disputes or difference shall be settled in accordance with the Arbitration and Conciliation Act, 1996. The arbitral tribunal shall consist of 3 arbitrators one each

to be appointed by the Employer and the Contractor. The third Arbitrator shall be chosen by the two arbitrators so appointed by the Parties and shall act as Presiding arbitrator. In case of failure of the two arbitrators appointed by the parties to reach upon a consensus within a period of 30 days from the appointment of the arbitrator appointed subsequently, the Presiding Arbitrator shall be appointed by the Chairman of the Institution of Project Managers (India). (Note: All bidders are expected to indicate clearly in the bid, if they proposed sub-contracting elements of the works amounting to more than 20 percent of the Bid Price. For each such proposal the qualification and the experience of the identified sub-contractor in the relevant field should be furnished along with the bid to enable the employer to satisfy himself about their qualifications before agreeing for such sub-contracting and include it in the contract. In view of the above, normally no additional sub- contracting should arise during execution of the contract."

5. It is prayed that necessary ingredients for invoking Section 11(6) of the Arbitration and Conciliation Act, 1996, are satisfied.

6. Nobody has entered appearance for the respondent despite service of notice. It appears that there exist disputes between the parties which need to be resolved through arbitration procedure, as per the dispute resolution clause.

7. Therefore, Sri Justice Nooty Ramamohana Rao, former Judge of this Court (resident of Plot No.3A, Huda Enclave, Near Andhra Jyothi Building, Ashwani Layout, Journalist Colony,

Jubilee Hills, Hyderabad-500033; Mobile No.7032048888) is appointed as sole arbitrator to adjudicate the dispute between the parties.

8. The parties shall appear before the sole arbitrator on 11.04.2025 at 11:00 a.m. along with a copy of this order. Thereupon, the sole arbitrator shall proceed with the arbitral proceedings in accordance with law.

9. Accordingly, the Arbitration Application is **allowed**. No costs. As a sequel, miscellaneous petitions, pending if any, stand closed.

Sd/- M. VIJAYA BHASKER  
JOINT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. Sri Justice Nooty Ramamohana Rao, former Judge of High Court for the State of Telangana, Hyderabad, Resident of Plot No. 3A, Huda Enclave, Near Andhra Jyothi Building, Ashwani Layout, Journalist Colony, Jubilee Hills, Hyderabad – 500033, Mobile No. 7032048888) ( **By Special Messenger** )  
( **Along with a copy of order and material papers** )
2. Sharvani Energy Private Limited, S.V.Mansion, No. 12-13-416 Street No.1, Tarnaka, Hyderabad Telangana -500008 Represented by its Managing Director N. Prashanth Rao.
3. One CC to Sri. S Rajan, Advocate [OPUC]
4. Two CD Copies

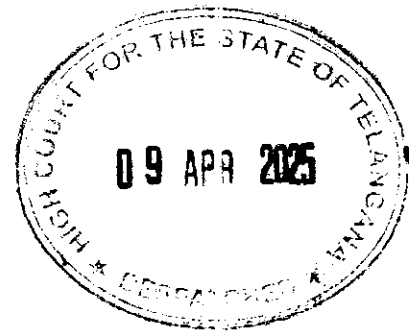
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HIGH COURT

DATED:28/03/2025

ORDER

ARBAPPL.No.321 of 2024



ALLOWING THE ARBITRATION APPLICATION

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