



2026:TSHC:11353
[3378]

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

**THURSDAY, THE EIGHTEENTH DAY OF JUNE
TWO THOUSAND AND TWENTY SIX**

PRESENT

THE HONOURABLE SRI JUSTICE P.SAM KOSHY

ARBITRATION APPLICATION NO: 91 OF 2025

Between:

1. FARHAD GEW IRANI, s/o. Late Gew Shapurji Irani (Gew.S.Gew) Aged: 71 Yrs., Occu: Retired Land Owner, R/o.H.No.1-3-179, Main Road, Kazipet, Hanumakonda District.
2. SHAPUR GEW IRANI, s/o.Late Gew Shapurji Irani (Gew.S.Gew) Aged: 69 Yrs., Occu: Retired land Owner R/o.H.No.1-3-179, Main Road, Kazipet, Hanumakonda District.
3. RUSTOM GEW IRANI, S/o. Late Gew Shapurji Irani (Gew.S.Gew) Aged: 61 Yrs., Occu; Advocate/Land Owner, R/o.H.No.1-3-179, Main Road, Kazipet, Hanumakonda District

...APPLICANTS

AND

M/s. Sri Sai Kakatiya Developers, Rep. by Its Managing Partner, K.Prathap Reddy, S/o.Late K.Narayana Reddy, Age: about 65 yrs., Occu: Business Address: SSS Complex, H.No.1-3-172/b/26 Kazipet Chowrastha, Sri Sai Shapunji Towers Hanumakonda District. R/o. H.No.Plot No.70/A, H.No.8-2-293/82L/70A, MLAs colony, Road No.12, Banjara Hills, Hyderabad - 500 034.

...RESPONDENT

Arbitration Application under Section 11 (5) & (6) of the Arbitration and Conciliation Act 1996 praying that the High Court may be pleased to

- (a) Appoint sole arbitrator as per the Arbitration clause at para No.28 in the registered Development Agreement dt.06-10-2018 bearing Doc.No.22222/2018 between the applicants and the respondent herein and refer for arbitration to resolve the disputes and / or differences that have arisen between the applicants and the respondent herein.
- (b) award costs of the present proceedings in favour of the Petitioners;



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**Counsel for the Applicants: Ms Kalyani Kanumuri, Counsel representing
Sri N M Krishnaiah**

Counsel for the Respondent: Sri Kunal Kakkad

The Court made the following: ORDER



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

THE HONOURABLE SRI JUSTICE P.SAM KOSHY

ARBITRATION APPLICATION No.91 of 2025

DATE: 18.06.2026

Between:

Farhad Gew Irani and 3 others

...Applicants

AND

M/s Sri Sai Kakatiya Developers

...Respondents

ORDER:

Heard Ms. Kalyani Kanumuri, learned counsel representing Mr. N M Krishnaiah, learned counsel for the applicants; and Mr. Kunal Kakkad, learned counsel for the respondent.

2. The instant Arbitration Application is filed under Section 11(5) of the Arbitration and Conciliation Act, 1996 seeking appointment of a Sole Arbitrator for adjudication of the disputes that have arisen between the applicants and the respondent under the Registered Development Agreement-cum-Irrevocable GPA dated 06.10.2018.

3. The relief sought for in the present application is for appointment of an Arbitrator to resolve the disputes and claims raised by the



applicants against the respondent arising out of the aforesaid Development Agreement.

4. The case of the applicants is that the applicants and the respondent entered into a Registered Development Agreement-cum-Irrevocable GPA dated 06.10.2018 and Clause No.28 of the said agreement stipulates the arbitration clause. According to the applicants, disputes have subsequently arisen between the parties in relation to implementation of the terms and conditions of the said agreement.

5. It is further the contention of the applicants that despite issuance of legal notices and exchange of correspondence, the disputes could not be amicably resolved, compelling them to invoke the arbitration clause and file the present application.

6. Today, when the matter was taken up for consideration, learned counsel appearing for the respective parties submitted that there is no dispute with regard to the existence of the arbitration agreement between the parties.



7. Given the said consensus between the parties and there being an arbitration clause in the agreement governing the parties, this Court is of the considered view that the present application deserves to be allowed.

8. In the given factual circumstances of the case, this Court is inclined to allow the instant Arbitration Application and appoint an arbitrator who shall in turn decide the grievances and the claims raised by the applicant. In the course of the deliberation, the name proposed by the learned counsel for the applicant was acceptable to the other side and both the parties agreed upon for appointment of an Arbitrator by the Court. Upon proposing the name of Hon'ble Sri Justice B. Siva Sanakara Rao, former judge of this High Court to be appointed as an Arbitrator, both the parties have expressed their willingness and no objection. In view of the same, this Court appoints Hon'ble Sri Justice B. Siva Sanakara Rao, former judge of this High Court (H.No.8-2-293/82/PP/12/G.2, Sai Mitra Castle, Road No.12, Press Photographers Colony, Near Lotus Pond, Banjara Hills, Hyderabad - 34, Mobile Nos.9494426549, 9440406301) to act as an Arbitrator and to pass an appropriate award in terms of the provisions of the Act. The venue of the arbitration shall be decided mutually by the parties subject to the



consultation and agreement of the learned Arbitrator. The fees of the learned Arbitrator also be decided mutually by the parties again in consultation and agreement with the learned Arbitrator and the arbitration proceedings shall be governed in accordance with the provisions of the Act.

9. All rival claims, counter claims and objections of the parties are left open to be agitated before the learned Arbitrator.

10. Accordingly, this Arbitration Application is allowed.

As a sequel, miscellaneous applications pending, if any, shall stand closed. No order as to costs.

**Sd/-M. VIJAYA BHASKER,
JOINT REGISTRAR**

//TRUE COPY//

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SECTION OFFICER

To,

1. Sri Justice B Siva Sanakara Rao, former judge of High Court for the State of Telangana, at Hyderabad, H.No. 8-2-293/82/PP/12/G.2, Sai Mitra Castle, Road No. 12, Press Photographers Colony, Near Lotus Pond, Banjara Hills, Hyderabad – 34, Mobile Nos. 9494426549, 9440406301. **(By Special Messenger) (Along with a Copy of affidavit and material papers)**
2. One CC to Sri N M Krishnaiah, Advocate [OPUC]
3. One CC to Sri Kunal Kakkad, Advocate [OPUC]
4. Two CD Copies

Sa/BA



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HIGH COURT

DATED: 18/06/2026

ORDER

ARBAPPL.No.91 of 2025



ALLOWING THE ARBITRATION APPLICATION

WITHOUT COSTS

⑥
04/07/26
R.Y.