

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

**FRIDAY, THE TWENTY FOURTH DAY OF APRIL
TWO THOUSAND AND TWENTY SIX**

PRESENT

THE HONOURABLE JUSTICE MOUSHUMI BHATTACHARYA

ARBITRATION APPLICATION NO: 102 OF 2025

Between:

Arvind Kumar Raghuvanshi, (Director- DIN-01358203 and Shareholder) Flat No. 402, TNZ Towers, Aurora Colony, Road No.3, Banjara Hills, VTC-Khairatabad, Hyderabad- 500034

...APPLICANT

AND

1. M/S Hi In Concepts Private Ltd, Rep by Mr Srinivas Valluri Respondent no 2 herein (CIN-U74200TG2010PTC071008) House No. 8-2-293/82/A/163, Plot No. 163, Ground Floor, Road No. 13A, Jubilee Hills, Hyderabad- 500033
2. Mr. Valluri Srinivas, Director (DIN-00045007) Flat No. 111, Sarada Apartment-2, Rangaraju Lane, Banjara Hills, Road No. 1 Hyderabad-500034
3. Mr. Majeti Venkata Satya Sai Surya Nagabhushanam, Director (DIN-01688744), Flat No. 709, Block-9, IJM Rain Tree Park, Malaysian Township, KBHP 5th Phase, Kukatpally, Hyderabad-500072
4. Mrs. Aparna Valluri, Flat No. 412, Sarada Apartments 2, Road No.1, Rangaraju Lane, Banjara Hills, Hyderabad-500034
5. Mohammed Abdul Gafar, House No. 8-2-293/82/A/163, Plot No. 163, Ground Floor, Road No. 13A, Jubilee Hills, Hyderabad- 500033
6. Sruthi Krishna Murthy, House No. 8-2-293/82/A/163, Plot No. 163, Ground Floor, Road No. 13A, Jubilee Hills, Hyderabad- 500033
7. Kama Raju V V S, House No. 8-2-293/82/A/163, Plot No. 163, Ground Floor, Road No. 13A, Jubilee Hills, Hyderabad- 500033

...RESPONDENTS

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

- (i) to appoint a Sole Arbitrator to adjudicate upon the disputes between the parties arising out of Agreement AOA of 28-10-2010 in connection with the aforesaid issues, including all allegations of oppression, mismanagement and breach of contractual obligations in the interest of justice equity and fair play;
- (ii) award costs for the Application.

Counsel for the Petitioner: Sri Prem Kumar Pothina

Counsel for the Respondents: Sri. L Venkateshwar Rao

The Court made the following: ORDER

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

THE HON'BLE JUSTICE MOUSHUMI BHATTACHARYA

ARBITRATION APPLICATION No.102 of 2025

DATE: 24.04.2026

Between:

Mr.Arvind Kumar Raghuvanshi

.....Applicant

AND

M/s. HI IN Concepts Private Limited and 6 others

.....Respondents

Mr. Prem Kumar Pothina, learned counsel appearing for the applicant.

Mr. L.Venkateshwar Rao, learned counsel appearing for the respondents

ORDER:

1. The present Arbitration Application has been filed under section 11(6) of the Arbitration and Conciliation Act, 1996, seeking an appointment of a Sole Arbitrator for adjudication of the disputes between the parties in respect of an Agreement dated 28.10.2010.

2. Admittedly, there exists a dispute with respect to the existence of the Arbitration Agreement as embodied in Articles 67 and 68 of the Articles of Association of the respondent No.1/Company.

3. While, learned counsel appearing for the applicant relies on the Articles of Association dated 28.10.2010, learned counsel appearing for the respondents places reliance on an Extraordinary General Meeting (EGM) of the members of the Company held on 11.07.2016 which clearly records adoption of the new Articles of Association of the Company. This decision is recorded by way of a Resolution passed by the Company and its shareholders on said date, whereby, *inter alia* with the erstwhile Articles of Association i.e., on 18.01.2010 were altered and revised by the new Articles 1-66.

4. Learned counsel submits that the Arbitration Agreement which was contained in the old Articles of Association i.e. Articles 67 and 68 do not form part of the new Articles of Association.

5. Learned counsel appearing for the respondents further submits that I.A.No.105 of 2025 in CP No.34/241/HBD/2024 is before The National Company Law Tribunal at Hyderabad ('NCLT, Hyderabad'). The issue as to whether reliance should be placed on the old or new Articles

of Association remains pending for adjudication before the NCLT, Hyderabad. Learned counsel submits that the present Arbitration Application was filed subsequent to filing of the I.A. before the NCLT, Hyderabad. The I.A. was filed on 26.04.2025 whereas the present application has been filed on 02.05.2025.

6. In the view of the above submissions, it is clear that the very existence of the Arbitration Agreement is in doubt and the uncertainty is an issue before the NCLT, Hyderabad. Hence, this Court is not inclined to pass any orders for appointing a Sole Arbitrator in the present application.

7. Arbitration Application No.102 of 2025 is accordingly dismissed, along with all connected applications. There shall be no order as to costs

SD/- M.VIJAYA BHASKER
JOINT REGISTRAR

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SECTION OFFICER

To,

1. The National Company Law Tribunal, Hyderabad Bench, Hyderabad, Office at 1st floor Corporate Bhawan, Nagole, Bandlaguda Thattianaram Village Hayathnagar Mandal, Ranga Reddy District Telangana State Pin Code 500 680
2. One CC to Sri Prem Kumar Pothina, Advocate [OPUC]
3. One CC to Sri L. Venkateshwar Rao, Advocate [OPUC]
4. Two CD Copies

VH/KA

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HIGH COURT

DATED: 24/04/2026

ORDER

ARBAPPL.No.102 of 2025



DISMISSING THE

ARBITRATION APPLICATION

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