**HIGH COURT FOR THE STATE OF TELANGANA**
**MAIN CASE NO: C.R.P. No.622 OF 2026**
**PROCEEDINGS SHEET**

| Sl. No. | Date | ORDER | OFFICE NOTE |
|---|---|---|---|
| 02. | 29.04.2026 | **MB,J**<br>Mr. Srinivas Chamarthy, learned counsel appearing for the petitioner.<br><br>Issue notice, including personal notice, to the respondents.<br>Proof of service to be filed on the next date.<br>List this matter on 19.06.2026.<br>The present Civil Revision Petition arises out of an order dated 31.10.2025 passed by the learned Principal Junior Civil Judge-cum-VIII Additional Judicial Magistrate of First Class, Ranga Reddy District at Kukatpally ('Execution Court') dismissing the Execution Petition (E.P. No. 269 of 2024) filed by the petitioner (decree holder) for arrest and detention of the judgment debtor No.1 in civil prison for recovery of the execution petition amount, pursuant to an Arbitral Award dated 19.04.2024 passed in favour of the petitioner/decree holder.<br>The Execution Petition was dismissed on the sole ground that the Arbitrator was unilaterally appointed and hence contrary to section 12(5) of the Arbitration and Conciliation Act, 1996 ('1996 Act').<br>I have heard the learned counsel appearing for the petitioner.<br>Learned counsel appearing for the petitioner places relevant provision of The Multi-State Co-operative Societies Act, 2002 ('2002 Act'). Learned counsel submits that Arbitrator was appointed by the Central Registrar under statutory framework.<br>As per section 3(d) of the 2002 Act', "Central Registrar" means the Central Registrar of Co-operative Societies appointed as per clause (f) of Article 243ZH of the Constitution read with sub- | |

section (1) of section 4 and includes any officer empowered to exercise the powers of the Central Registrar under sub-section (2) of that section.

Learned counsel appearing for the petitioner also places reliance on the order dated 29.10.2016, whereby the Arbitrator was appointed by the Central Registrar of Cooperative societies to settle the disputes between the parties.

Hence, even on a cursory reading of the papers, it is evident that the Execution Court failed to note that the Arbitrator was appointed by the Central Registrar of Cooperative Societies under sub-section (4) of section 84 of the 2002 Act. This appointment of the Arbitrator is not a unilateral appointment and does not fall under Section 12(5) read with the Fifth and Seventh Schedules of the 1996 Act.

This Court also finds substance in the argument that the Execution Court was not authorised to entertain the Execution Petition considering the reasons given under Section 2(1)(e)(i) of the 1996 Act.

In view of the above reasons, pending service of notice on the respondents, there shall be suspension of the impugned order dated 31.10.2025 passed in E.P. No. 269 of 2024 by the learned Principal Junior Civil Judge-cum-VIII Additional Judicial Magistrate of First Class, Ranga Reddy District at Kukatpally, till the next date of hearing or until further orders, whichever is earlier.

**MB,J**

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