

THE HIGH COURT OF TRIPURA
AGARTALA

ARB. P. 01 of 2015

Shri Nanto Ranjan Roy,
S/O. Lt. Surendra Chandra Roy,
B.K. Road, Banamalipur, P.O. Agartala,
PIN: 799001,
District: West Tripura.

..... *Petitioner*

- *Vs* -

1. The State of Tripura,
Represented by the Secretary,
Government of Tripura,
Public Works Department,
New Secretariat Complex, PO: Secretariat,
PIN: 799010,
Agartala, West Tripura.
2. The Chief Engineer, PWD(DWS),
Gurkhabasti, PO: Kunjaban,
PIN: 799006, Agartala,
West Tripura.
3. The Executive Engineer, DWS Division No.II,
Agartala, West Tripura.

..... *Respondents*

BEFORE

HON'BLE THE CHIEF JUSTICE MR. DEEPAK GUPTA

For the Petitioner : Mr. C.S. Sinha, Advocate.

For the respondents : Mr. T. Datta Majumder, G.A.

Date of hearing & : 21.03.2015.
delivery of
Judgment & order

Whether fit for reporting : No.

JUDGMENT & ORDER (ORAL)

This is an application for appointment of Arbitrator under Section 11 of the Arbitration and Conciliation Act, 1996 (hereinafter referred to as 'the Act').

2. The claimant had entered into a contract being Agreement No.01/CE/EE/DWS/AGT-II/2009-10 in respect of work namely UWS scheme at Ranirbazar/Design supply & construction of RCC overhead tank (1.00 lac gallon capacity) of staging height 18.30 mtr. at Market area Ranirbazar (3rdcall).

3. This agreement contained an arbitration clause. It is not disputed that disputes have arisen between the parties and, therefore, an arbitrator be appointed between the parties.

4. The State has not denied the fact that disputes have arisen.

5. In view of the aforesaid facts, I hereby appoint Shri Ashim Chakraborty, Additional Chief Engineer, Office of the Chief Engineer, PWD (DWS), Tripura, Agartala as arbitrator to decide the disputes which have arisen between the parties.

6. The appointment of the arbitrator is by name and not by designation and, therefore, the arbitrator will continue the arbitration proceedings even after transfer/promotion/retirement.

7. Registry is directed to send a copy of this order to Shri Ashim Chakraborty so as to reach within 1 (one) week from today.

8. The parties are directed to file claim and counter claim before Shri Chakraborty within four weeks from today and he shall decide the matter within six months of the filing of the claim and counter claim.

9. The petition is accordingly disposed of.

CHIEF JUSTICE

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