

THE HIGH COURT OF TRIPURA
AGARTALA

ARB. P. 04 of 2015

Shri Nanto Ranjan Roy, Contractor,
S/O. Late Surendra Chandra Roy,
B.K. Road, Banamalipur,
Agartala, West Tripura.

..... *Petitioner*

- *Vs* -

1. The State of Tripura,
Represented by the Secretary to the
Government of Tripura,
Public Works Department.
2. Chief Engineer, PWD(DWS),
Gorkhabasti, Agartala,
Tripura.
3. Executive Engineer, DWS Division,
Ambassa, Dhalai, Tripura.
4. Executive Engineer, DWS Division,
Kamalpur, Dhalai, Tripura.

..... *Respondents*

BEFORE
HON'BLE THE CHIEF JUSTICE MR. DEEPAK GUPTA

For the Petitioner : Mr. R. Paul, Advocate.

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

Date of hearing & : 09.03.2015.
delivery of
Judgment & order

Whether fit for reporting : **NO.**

JUDGMENT & ORDER (ORAL)

This is an application for appointment of Arbitrator under Section 11(6) read with Section 11(8) of the Arbitration and Conciliation Act, 1996 (hereinafter referred to as 'the Act').

2. The claimant had entered into a contract being Agreement No.23/CE/SE/EE/DWS/AMB/2008-09 in respect of work namely AUWSP at Kamalpur/Design supply and construction of RCC overhead tank (1.00 lakh gallon capacity) of staging height 18.30 mtr. at Kamalpur Nagar Panchayet area (Job No.TR / URBAN/STATE/PLAN/8/2005-06).

3. This agreement contained an arbitration clause. According to the petitioner, disputes have arisen between the claimant and the State 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 Sri Alakesh Sengupta, Superintending Engineer, Office of the Chief Engineer, PMGSY, New Secretariat Complex, 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 Mr. Alakesh Sengupta so as to reach within 3(three) days from today.

8. The parties are directed to file claim and counter claim before Sri Sengupta 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