

THE HIGH COURT OF TRIPURA
AGARTALA

ARB. P. 06 of 2015

National Projects Construction Corporation Ltd.,
(In short N.P.C.C. Ltd.),
A Government of India Enterprise,
Having its Office at 31, Harish Thakur Lane,
Agartala-799001, P.S.:- West Agartala,
Dist. – West Tripura.

..... *Petitioner*

- *Vs* -

The State of Tripura,
Represented by the Executive Engineer,
Public Works Department (R&B),
P.O.:- Ambassa, P.S.-Ambassa,
Dist.-Dhalai, Tripura.

..... *Respondent*

BEFORE
HON'BLE THE CHIEF JUSTICE MR. DEEPAK GUPTA

For the Petitioner	: Mr. A. Bhowmik, Advocate.
For the respondent	: Mr. T. Datta Majumder, GA.
Date of hearing & delivery of Judgment & order	: 25.02.2015.
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. Admittedly, the disputes between the parties were earlier referred by the Gauhati High Court. Firstly, to one arbitrator Sri Dipak Chandra Das, Additional Chief Engineer, PWD (DWS),

Kunjaban, Agartala who could not complete the arbitration due to his resignation as arbitrator on being promoted to the post of Chief Engineer. Thereafter, Sri S.C. Das, Additional Chief Engineer was appointed arbitrator, but he has unfortunately expired.

3. Keeping in view the aforesaid facts, Sri Samanta Deb, Superintending Engineer, Office of the Chief Engineer, PWD(R&B) Annex, Netaji Chowmuhani Office Complex, Agartala is appointed arbitrator.

4. It is made clear that he shall proceed in the arbitration from the stage where S.C. Das had left the arbitration and he does not have to start the proceeding all over again. He is also requested to complete the proceeding as early as possible and may make an endeavour to decide the same latest by 30th September, 2015.

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

6. Registry is directed to send a copy of this order to Mr. Samanta Deb so as to reach within 3(three) days from today.

7. The parties are directed to appear before Sri Deb on 6th April, 2015.

8. The petition is accordingly disposed of.

CHIEF JUSTICE