

HIGH COURT OF CHHATTISGARH, BILASPUR**Arbitration Application No. 19 of 2014**

M/S EICS Consultancy Pvt. Ltd., Having its Corporate office at Om Residency, 1st Floor, Ring Road No. 02, Bilaspur (Chhattisgarh) through – its Chairman cum Managing Director S.N. Swamy S/o Late Subbaiaha Maniyam, aged-about years R/o First Floor, 103-106 Om Residency, Ring Road no. 2, Bilaspur, District Bilaspur (C.G.)

---- Applicant/Petitioner**Versus**

1. M/s Ankur Urza Ltd. (AUL), A company incorporated under the provisions of Companies Act, 1956 having its registered office at 3A, Mangoe Lane, 4th Floor Kolkata-700001 (West Bengal) Through- Its Chairman Cum Managing Director- Shri Dhiraj Thard R/o 3A, Mangoe Lane, 4th Floor Kolkata-700001 (West Bengal)

---- Respondent

For Petitioner	:	Shri Qamrul Aziz, Advocate.
For Respondent	:	None.

Hon'ble Shri Deepak Gupta, Chief Justice**Order on Board****23/12/2016**

1. Respondent has been served but has not put his appearance.
2. The Petitioner M/s EICS Consultancy Private Limited entered into an agreement with M/s Ankur Urza Limited for installation of 2 X 9 MVM semi open smelting furnace. The agreement contained arbitration clause which provided that all disputes or differences arising between the parties relating to the contract would be referred to the arbitration and the venue of the arbitration would be Bilaspur. The Petitioner claims that it was always ready and willing to perform it's part of the contract, but the respondent has failed to perform it's part of the agreement and have paid a very small amount to the Petitioner. The Petitioner claims that he is entitled to much more amount.
3. From the averments, it is apparent that disputes have arisen between

the parties and there is an arbitration clause in the agreement.

4. Since a dispute has arisen between the parties, it has to be resolved by the Arbitrator. Therefore, I appoint Shri Justice V.K. Shrivastava, residing at Ware House Road, Vidhik Sewa Marg, Bilaspur, a retired Judge of High Court of Chhattisgarh, as Arbitrator in the case.

5. The Petitioner and the Respondent may file their claim/counter-claim before the aforesaid Arbitrator within a period of four weeks from today who is requested to dispose of the matter within the time prescribed in the Arbitration and Conciliation Act, 1996, as amended.

6. The parties are directed to appear before the Arbitrator on 19.01.2017.

7. Registry is directed to send a copy of this order to Shri Justice V.K. Shrivastava so as to reach within one week from today.

8. The arbitration application is accordingly disposed of.

Sd/-

(Deepak Gupta)
Chief Justice