

HIGH COURT AT CALCUTTA
(ORIGINAL SIDE)

AP/208/2021

(Through Video Conferencing)

REFORM TOOLS PRIVATE LIMITED

....Applicant(s)

Through : Mr. Abhrajit Mitra, Senior Advocate
with Ms. Rajshree Kajaria, Mr. Satadeep
Bhattacharyya (VC), Mr. Uttam Sharma,
Advocates

V/s

INDIAN ORDNANCE FACTORIES

....Respondent(s)

Through : Mr. Aryak Dutt (VC), Mr. Dipankar
Das, Advocates

Coram : HON'BLE MR. RAJESH BINDAL, CHIEF JUSTICE (ACTING)

O R D E R

1. The present application has been filed for appointment of an arbitrator on account of dispute arising out of a Supply Order dated October 12, 2018.
2. The arbitration clause in the Supply Order, which has not been disputed, reads as under:-

“ARBITRATION

All disputes and differences arising out of or in any way touching or concerning disagreement (Except those for which specific has been made therein) shall be referred to sole Arbitrator to be appointed by Director General Ordnance Factories, Government of India. The Arbitrator so appointed

shall be a Government Servant who had not dealt with matters to which this agreement relates and in course of his duties had not expressed views on all or any of the matter in disputes and differences. The Arbitral award of the sole arbitrator shall be final and binding on the parties. The venue of the arbitration shall be Rifle Factory, Ishapore.”

3. Learned counsel for the parties are agreeable that for settlement of dispute, Justice Mumtaz Khan (Retired Judge of High Court at Calcutta) be appointed as arbitrator.

4. The prayer of the learned counsel for the parties is accepted and Justice Mumtaz Khan (Retired), resident of Marlin River View (Tide), Flat No.11E, 15, Kabitirtha Sarani (Watgunge Road), Khiddirpore, Kolkata – 700023 (Mobile: 9433193311) is appointed Arbitrator for settlement of dispute between the parties.

5. The application stands disposed of.

KOLKATA
29.09.2021
akg/s.kumar

(RAJESH BINDAL)
CHIEF JUSTICE (ACTING)