

HIGH COURT AT CALCUTTA
(ORIGINAL SIDE)

AP/363/2021

(Through Video Conferencing)

M/s. SENSE

.....Appellant(s)

Through : Mr. Soumen Das, Advocate

V/s

SIMPLEX INFRASTRUCTURE LTD.

.....Respondent(s)

Through : Ms. Titash Mukherjee, Advocate(VC)

Coram : HON'BLE MR. JUSTICE 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 the dispute arising out of an agreement executed between the parties on February 1, 2015.
2. The arbitration clause in the agreement entered into between the parties, which has not been disputed, reads as under :-

“In the event of any difference or dispute arising out of or in connection with this work order, the same shall be first amicably settled by mutual dialogue. If the parties fail to settle their difference or dispute arising out of or in connection with this work order (including interpretation of the terms thereof), the same shall be referred to arbitration. The Arbitration proceedings shall be conducted by a single Arbitrator appointed by the Company Secretary of Simplex Infrastructures Ltd., and the award/decision of such arbitrator shall be final and binding upon both the parties. The venue of the arbitration shall be Kolkata. However, the work shall not be stopped during the pendency of the proceedings and it shall be ensured that such work is proceeded uninterruptedly.”

3. Learned counsel for both the parties have agreed for appointment of Mr. Jishnu Chowdhury, Advocate, as sole arbitrator to resolve the disputes between the parties.
4. Accordingly, Mr. Jishnu Chowdhury, Advocate, resident of 67F, Palm Avenue, Kolkata – 700019, (Mobile No.9830015791) is appointed as Arbitrator to settle the disputes between the parties.
5. The present application is accordingly disposed of.

KOLKATA
1.9.2021
SN/S.Das.

(RAJESH BINDAL)
CHIEF JUSTICE (ACTING)