

AP No. 499 of 2019  
IN THE HIGH COURT AT CALCUTTA  
ORIGINAL CIVIL JURISDICTION

DEBABRATA MAJUMDER  
VERSUS  
DEY ENTERPRISE AND ANR.

BEFORE:  
The Hon'ble JUSTICE DEBANGSU BASAK  
Date: 23<sup>rd</sup> March, 2021.

(Via Video Conference)

Appearance:  
Mr. Ashim Kumar Ray, Adv.  
Mr. Sutanu Chakrabarti, Adv.  
For the petitioner.

Mr. Swarvanu Saha, Adv.  
Mr. Sumon Pathak, Adv.  
For the respondents.

The Court :- In this application under Section 11[6] of the Arbitration and Conciliation Act, 1996, the petitioner seeks appointment of an arbitrator.

The petitioner on one part and the respondent no.2 on the other part entered into a deed of partnership dated August 5, 2015 under the name and style of the respondent no.1.

Disputes and differences arising between the petitioner and the respondent no.2 in relation to the respondent no.1, the petitioner invoked the arbitration agreement contained in the deed of partnership on November 23, 2018. The petitioner and the respondent no.2 could not agree to the appointment

of an arbitrator. The petitioner filed the present application for appointment of the arbitrator.

In such circumstances, since there exists an arbitration agreement between the parties contained in the deed of partnership dated August 5, 2015, it would be appropriate to appoint Mr. Sabyasachi Chowdhury, Advocate, Bar Library Club as the arbitrator in terms thereof. The learned arbitrator is at liberty to fix his remuneration, which will be shared equally by the parties. The parties will bear the costs and expenses of the arbitration in equal share.

The parties are at liberty to inform the arbitrator of this order.

AP No. 499 of 2019 is disposed of accordingly.

(DEBANGSU BASAK, J.)

snn.