

ORDER SHEET

AP/199/2021

IN THE HIGH COURT AT CALCUTTA
Ordinary Original Civil Jurisdiction
ORIGINAL SIDE

MCNROE CONSUMER PRODUCTS PRIVATE LIMITED
VS
ALLURE CONSUMER PRODUCTS PRIVATE LIMITED

BEFORE:

The Hon'ble JUSTICE SHEKHAR B. SARAF

Date : 2nd August, 2022

Appearance:
Mr. Shubham Gupta, Adv.
...for the petitioner

The Court: Heard Counsel appearing on behalf of the petitioner.

It is to be noted that service of the Section 11 application has returned unserved with the endorsement 'Refused'. This is good service.

None has appeared on behalf of the respondent in spite of service.

Clause 27 of the agreement between the parties reads as follows:-

“27. In case of any dispute or difference arising at any time between the buyer and seller as to the construction, meaning or effect of this agreement or any clause contained herein or the rights, duties, liabilities and obligations of the buyer or the seller hereunder or relating to this agreement, the same shall be referred to Arbitration and Conciliation in accordance with and subject to the provisions of the Arbitration and Conciliation Act, 1996 or any statutory modification or

re-enactment thereof for the time being in force and arbitration shall be held in Kolkata only.”

In light of the above, an Arbitrator is required to be appointed for resolution of dispute between the parties.

I, accordingly, appoint Justice Sahidullah Munshi (Retired) as an Arbitrator.

The appointment is subject to submission of declaration by the Arbitrator in terms of Section 12(1) in the form prescribed in the Sixth Schedule of the Act before the Registrar, Original Side of this Court within four weeks from today.

Let this order be conveyed to the Arbitrator by the Registrar, Original Side forthwith.

AP/199/2021 is accordingly disposed of.

(SHEKHAR B. SARAF, J.)