

ORDER SHEET

AP/239/2021

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

MESA-NARULA-GCC (JV)
VS
UNION OF INDIA

BEFORE:

The Hon'ble JUSTICE SHEKHAR B. SARAF

Date : 30th August, 2022

Appearance:

Mr. Jishnu Chowdhury, Adv.

Mr. Aritra Basu, Adv.

Mr. Partha Banerjee, Adv.

...for the petitioner

Mr. Amritalal Dhar, Adv.

Mr. Anirudha Sarkar, Adv.

...for the respondent

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

This is a Section 11 application for appointment of an arbitration tribunal.

Section 21 notice has been duly served.

Both parties consent to appointment of a sole Arbitrator to resolve the dispute between the parties. Both Counsel have submitted that a retired judge of the High Court should be appointed as the Arbitrator.

In light of the same, I appoint Justice Girish Chandra Gupta, Former Chief Justice of Calcutta High Court as 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.

It is to be noted, as submitted by Counsel appearing on behalf of the respondent, that a writ application has been filed by the petitioner with regard to invocation of bank guarantee that is pending as on date.

Parties are at liberty to take appropriate steps with regard to disposal of the said writ application in light of the appointment of the Arbitrator.

AP/239/2021 is accordingly disposed of.

(SHEKHAR B. SARAF, J.)