

OD-34

ORDER SHEET

AP/136/2022

IN THE HIGH COURT AT CALCUTTA
ORDINARY ORIGINAL CIVIL JURISDICTION
ORIGINAL SIDE

M/S ROYAL INFRACONSTRU LTD.
-VS-
M/S BRAITHWAITE AND COMPANY LIMITED

BEFORE:

The Hon'ble JUSTICE SHEKHAR B. SARAF

Date : April 11, 2022.

Appearance:

Mr. Arnab Chakraborty, Adv.

Ms. Pragya Bhowmick, Adv.

The Court: This application under Section 11 of the Arbitration and Conciliation Act, 1996 has been filed for appointment of an arbitrator to resolve the disputes between the parties.

Counsel on behalf of the petitioner submits that Mr. Moloy Kr. Ghosh, senior advocate had been appointed as an Arbitrator in this matter. He submits that by a letter dated November 30, 2021, Mr. Ghosh had requested to be relieved from the said arbitration proceeding due to professional commitments. Counsel further submits that in relation to another similar contract between the same parties, an arbitration proceeding is going on and the same is being carried out by the former Chief Justice Mr. Debasish Kar Gupta, who had been appointed by an order of a Co-ordinate Bench of this High Court on 17th March, 2021.

In light of the above submission, I am of the view that Chief Justice Mr. Debasish Kar Gupta (Retired) be appointed as an Arbitrator in this matter also to resolve the disputes between the parties.

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 No. 136 of 2022 is, accordingly, disposed of.

(SHEKHAR B. SARAF, J.)