

ODC 7

ORDER SHEET
AP/216/2022
IN THE HIGH COURT AT CALCUTTA
ORDINARY ORIGINAL CIVIL JURISDICTION
COMMERCIAL DIVISION

PARAS HOME PRODUCT CORPORATION AND ORS.
VS
TATA CAPITAL FINANCIAL SERVICES LTD.

BEFORE:
The Hon'ble JUSTICE SHEKHAR B. SARAF
Date: 4th July, 2022.

Appearance:
Mr. Swatarup Banerjee, Adv.
Mr. Swarvanu Saha, Adv.

Mr. Avishek Guha, Adv.
Ms. Akansha Chopra, Adv.

The Court: This is an application under Section 9 of the Arbitration and Conciliation Act, 1996.

The case of the petitioner is that the respondent has acted contrary to the Guaranteed Emergency Credit Line Scheme initiated by the Government of India.

Counsel appearing on behalf of the respondent has submitted that they are willing to proceed in arbitration. This suggestion is acceptable to the counsel appearing on behalf of the petitioner and accordingly the counsel appearing on behalf of the petitioner waives his right to receive notice under Section 21 of the Arbitration and Conciliation Act.

Since both parties have consented to appointment of an Arbitrator, this Court on consent of the parties directs appointment of the sole Arbitrator to resolve the disputes between the parties.

In view of the above, with consent of both parties, Mr. Utpal Bose, Senior Advocate, Bar Library Club, is appointed 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.

In light of the above directions, the Section 9 application bearing no. AP 216 of 2022 is disposed of.

(SHEKHAR B. SARAF, J.)

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