

ORDER SHEET
AP/278/2022
IN THE HIGH COURT AT CALCUTTA
ORDINARY ORIGINAL CIVIL JURISDICTION
COMMERCIAL DIVISION

KILARI VENKATA SWAMY NAIDU AND ANR.
VS
SREI EQUIPMENT FINANCE LIMITED TH. RAJNESH SHARMA,
INSOLVENCY RESOLUTION PROFESSIONAL(IRP) AND ANR.

BEFORE:
The Hon'ble JUSTICE SHEKHAR B. SARAF
Date: 5th July, 2022.

Appearance:
Mr. Shashwat Nayak, Adv.
Mr. Anirudhya Dutta, Adv.
Mr. Rajdeep Mantha, Adv.

Mr. Swatarup Banerjee, Adv.

The Court: This is an application under Section 14 of the Arbitration and Conciliation Act for terminating the reference of the arbitral proceedings in this matter.

Mr. Swatarup Banerjee, counsel appearing on behalf of the respondent submits in all fairness that without going into the controversy raised in this petition, the Court may appoint a new Arbitrator. Counsel appearing on behalf of the petitioner is agreeable to the said suggestion. In light of the same, the reference to the present Arbitral Tribunal is terminated.

Mr. Suman Dutta, Advocate (Mob. No.9903402733/9836926546), 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.

Since no affidavits have been used by the parties, the allegations made in the petition are deemed to be denied and disputed.

AP/278/2022 is, accordingly, disposed of.

I make it clear that the Arbitral Tribunal shall start afresh and conduct proceedings de novo.

(SHEKHAR B. SARAF, J.)