

AP/518/2022

IN THE HIGH COURT AT CALCUTTA
ORDINARY ORIGINAL CIVIL JURISDICTION

TAPAN DAS
VERSUS
UNION OF INDIA, REPRESENTED BY THE EXECUTIVE ENGINEER SILIGURI
CENTRAL DIVISION (EZ) CPWD

BEFORE:
THE HON'BLE CHIEF JUSTICE PRAKASH SHRIVASTAVA
DATE : 2ND SEPTEMBER, 2022

APPEARANCE:
Mr. Kamal Kumar Chattopadhyay, Advocate
Mr. Abhinaba Chatterjee, Advocate
Mr. Uttam Kr. Mondal, Advocate
....for the applicant
Mr. Kumar Jyoti Tewari, Advocate
. . . for Union of India

The Court:- Affidavit of service filed in Court is taken on record.

Learned counsel for the applicant and the respondent have submitted that the arbitration agreement exists between the parties and earlier the Arbitrator was appointed to resolve the disputes. They have pointed out that the Arbitrator so appointed by this Court by order dated 30th August, 2018 in AP 479 of 2018 has refused to proceed with the arbitral proceedings vide communication being Annexure 'G' to the application. In such circumstances, a joint prayer has been made for appointment of the sole Arbitrator.

Learned counsel for both the parties have jointly suggested the name of Shri Subash Chandra Padhi (M No.8895730690) as the sole Arbitrator and hence the prayer is allowed and AP is disposed of by appointing Subash Chandra Padhi as the sole Arbitrator to resolve the disputes between the parties, 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 is accordingly disposed of.

(PRAKASH SHRIVASTAVA, C.J.)

sm/pa