

OD-12

ORDER SHEET

AP/549/2022

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

MR. CHETAN JOHAR
VS
FORUM PROJECTS PRIVATE LIMITED

BEFORE:

The Hon'ble JUSTICE SHEKHAR B. SARAF

Date : 4th August, 2022

Appearance:

Mr. Ishaan Saha, Adv.

Mr. Yubaraj Bhattacharyya, Adv.

Ms. Pooja Sah, Adv.

...for the petitioner

Mr. Soumabho Ghose, Adv.

Ms. Riti Basu, Adv.

Ms. Chandrani Das, Adv.

...for the respondent

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

This is a Section 14(2) application under the Arbitration and Conciliation Act, 1996 for declaring the mandate of the Arbitrator as cancelled and for substitution of another Arbitrator to resolve the disputes between the parties.

Both parties have agreed that the Court should appoint a sole Arbitrator and, accordingly, I terminate the arbitration proceeding that is going on and appoint Mr. Rudraman Bhattacharyya, Advocate (Mob. No.9830731277) 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.

The reference to the Arbitrator is with regard to the license agreement dated 27th December, 2019 and common area maintenance agreement dated 27th December, 2019. The Arbitrator should treat this as a composite reference for both the agreements.

Since no affidavits have been exchanged in the matter, the allegations made in the application are deemed to be denied and disputed.

AP/549/2022 is accordingly disposed of.

(SHEKHAR B. SARAF, J.)