

AP/763/2022

IN THE HIGH COURT AT CALCUTTA
ORDINARY ORIGINAL CIVIL JURISDICTIONSREI EQUIPMENT FINANCE LIMITED
VERSUS
KRISHNA PADA MONDALBEFORE:
THE HON'BLE CHIEF JUSTICE PRAKASH SHRIVASTAVA
DATE : 22ND DECEMBER, 2022

APPEARANCE:
Mr. Swatarup Banerjee, Advocate
Mr. Rajib Mullick, Advocate
Mr. Sariful Haque, Advocate
Mr. Biswaroop Ghosh, Advocate
...for the petitioner
Mr. Arijit Bhowmick, Advocate
Mr. Dhiman Banerjee, Advocate
...for the respondent

The Court:- Affidavit of service filed by the respondents is taken on record.

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

Learned counsel for the applicant has pointed out that initially by order dated 1st December, 2017 in AP/687/2017, learned arbitrator was appointed who had taken up the arbitral proceeding but later he was elevated to this Court. Hence, AP/583/2022 was filed in which Mr. Utpal Bose, Senior Advocate was appointed as arbitrator who has recused, therefore, now this application has been filed.

Learned counsel for the respondent has not disputed the above facts and not opposed the prayer for appointment of the Arbitrator. Hence, AP is allowed. Mr. Sumit Talukdar, senior Advocate of this Court is appointed as 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.

(PRAKASH SHRIVASTAVA, C.J.)