

ORDER SHEET
AP/3/2023
IN THE HIGH COURT AT CALCUTTA
ORDINARY ORIGINAL CIVIL JURISDICTION
COMMERCIAL DIVISION

MIDEAST INTEGRATED STEEL LIMITED
VS
SREI EQUIPMENT FINANCE LIMITED

BEFORE:
The Hon'ble JUSTICE SHEKHAR B. SARAF
Date: 19th January, 2023.

Appearance:
Mr. Ramij Munsif, Adv.

Mr. Swatarup Banerjee, Adv.
Mr. Saubhik Banerjee, Adv.
Ms. Tapasika Bose, Adv.

The Court: Heard counsel appearing on behalf of the parties. Mr. Swatarup Banerjee, counsel appearing on behalf of the respondent submits that he is not opposing this application and he is agreeable to appointment of a new Arbitrator. He further submits that the arbitration proceeded to a great extent and therefore, the new Arbitrator may start from the point after submission of the claim and counterclaim. Since the appointment of the Arbitrator is a unilateral appointment and is hit by a catena of judgments of the Supreme Court, the appointment has to go and this Court is required to substitute the said Arbitrator.

Accordingly, Mr. Rajarshi Dutta, Advocate, Bar Library Club, is appointed as Arbitrator in this matter who shall start the arbitration from the point after completion of pleadings. 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 the event, there is any Section 17 application the Arbitrator shall hear the same expeditiously.

All records to be transmitted immediately by the erstwhile Arbitrator to the Arbitrator appointed by this Court.

With the above direction, AP/3/2023 is disposed of.

(SHEKHAR B. SARAF, J.)