

AP/51/2023

IN THE HIGH COURT AT CALCUTTA
ORDINARY ORIGINAL CIVIL JURISDICTION

KHETAN TRACON PRIVATE LIMITED
VERSUS
MICROFIRM TRACON CAPITAL PRIVATE LIMITED

BEFORE:
THE HON'BLE CHIEF JUSTICE PRAKASH SHRIVASTAVA
DATE : 2ND FEBRUARY, 2023

APPEARANCE:
Mr. Shuvasish Sengupta, Advocate
Mr. Soumyajit Mishra, Advocate
Mr. Balarko Sen, Advocate
....for the petitioner
Mr. Chayan Gupta, Advocate
Ms. Pubali Sinha Chowdhury, Advocate
...for the respondent

The Court:- 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 both the parties have jointly submitted that the Inter Corporate Deposit Facility Agreement dated 30th March, 2017 is not in dispute and Article 4 of this agreement contains the arbitration clause. Notice dated 16th December, 2022 is also not in dispute.

Counsel for the parties have jointly submitted that Mr. Rudraman Bhattacharyya, Advocate be appointed as sole arbitrator.

Hence, AP is allowed. With the consent of learned counsel for the parties, Mr. Rudraman Bhattacharyya, 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.

It will be open for the parties to raise all legally permissible pleas on merit before the proposed arbitrator.

Let this order be conveyed to the Arbitrator by the Registrar,
Original Side, forthwith.

(PRAKASH SHRIVASTAVA, C.J.)

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