

AP/89/2023

IN THE HIGH COURT AT CALCUTTA  
ORDINARY ORIGINAL CIVIL JURISDICTIONCOLLIERS INTERNATIONAL (INDIA) PROPERTY  
SERVICES PRIVATE LIMITED  
VERSUS  
PS GROUP REALTY PRIVATE LIMITEDBEFORE:  
THE HON'BLE CHIEF JUSTICE PRAKASH SHRIVASTAVA  
DATE : 16<sup>TH</sup> MARCH, 2023

## APPEARANCE:

Mr. Kumarjit Banerjee, Advocate  
Ms. Sanchari Chakraborty, Advocate  
Ms. Abhishikta Choudhury, Advocate  
....for the petitioner  
Mr. Sarbojit Mukherjee, Advocate  
Ms. Alakananda Das, Advocate  
Ms. Sayanika De, Advocate  
Mr. Lakshmi Sardar, 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.

The arbitration agreement dated 10<sup>th</sup> May, 2021 is not disputed by the counsel for the parties. This is also not in dispute that invoking the arbitration clause, the applicant had served the notice dated 20<sup>th</sup> October, 2022 upon the respondent in terms of Section 21 of the Act. The arbitrator could not be appointed as the parties could not reach to the consensus about the name of the Arbitrator. It is also not in dispute that the dispute exists between the parties which is required to be settled between the parties.

With the consent of counsel for both parties, Mr. Raj Ratna Sen, Advocate of this Court is appointed 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.)

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