

OD - 18

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

AP/98/2023
VINEET GUPTA
-Versus-
M/S. GIGGLES PRIVATE LIMITED

BEFORE :
THE HON'BLE JUSTICE SABYASACHI BHATTACHARYYA
Date : 2nd May, 2023

Appearance :
Mr.Dhiraj Trivedi, Adv.
Mr. B.K. Singh, Adv.
Mr. Sunil Gupta, Adv.
Mr.Swapan Jha, Adv.
...for the petitioner.

Mr.Rajdeep Mantha, Adv.
Ms. Samira Grewal, Adv.
Mr.Zubeen Pandey, Adv.
..for the respondent.

The Court : The dispute arising between the parties comes within the ambit of the arbitration clause of the agreement between the parties, which is in issue.

It is submitted by learned counsel for both sides, on instructions, that the parties agree to the appointment of Mr. Om Narayan Rai, a learned Advocate practising in this Court and a Member of the Bar Association, as the Sole Arbitrator to resolve the dispute between the parties.

Learned counsel for the respondent, in addition, submits that the respondent does not agree to the allegations made in the application under Section 11 of the Arbitration and

Conciliation Act, 1996 and have contentions regarding the disputes raised.

Be that as it may, in view of the consent of the parties on such score, AP No.98 of 2023 is allowed, thereby appointing Mr. Om Nayaran Rai (Mobile No.9874958601), a learned Advocate of this Court and a Member of the Bar Association, as the Sole Arbitrator to resolve the dispute between the parties, subject to declaration/consent being obtained from him under Section 12 of the 1996 Act.

It is made clear that it will be open to the respondent, if the respondent so chooses, to file its counter claim arising out of the same dispute before the Arbitrator as well.

(SABYASACHI BHATTACHARYYA, J.)