

OD - 17

AP/135/2023

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

NEMAI MITRA

-Versus-

SWARNENDU CHOWDHURY AND ANR.

Appearance:

Mr. Aritra Basu, Adv.
Ms. Sharmishtha Saha, Adv.
...for the petitioner.

Mr. Meghnad Dutta, Adv.
Mr. Arijit Das Mullick, Adv.
.. for the respondent.

BEFORE :

THE HON'BLE JUSTICE SABYASACHI BHATTACHARYYA

Date : 10th April, 2023

The Court : The agreement in question, from which the dispute between the parties has arisen, contains an arbitration clause, that is, Clause 7.

Since there has been no agreement between the parties as regards the name of the Arbitrator to be appointed, keeping in view the fact that the clause is admitted and valid, an Arbitrator is required to be appointed under Section 11 of the Arbitration and Conciliation Act, 1996.

Accordingly, AP 135 of 2023 is allowed, thereby appointing Justice R.K. Bag, a former Judge of this Court, residing at Anandalok, BB-50, Action Area 1B, New Town, Kolkata

- 700 156 (Mobile no. 83350 73594) as the Sole Arbitrator to resolve the disputes between the parties, subject to obtaining declaration/consent under Section 12 of the 1996 Act from the said proposed appointed Arbitrator.

(SABYASACHI BHATTACHARYYA, J.)

S.Das/As.