

OD - 5

ORDER SHEET

AP/144/2023

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

INDIAN OIL CORPORATION LIMITED
VS.
SRI MRINALENDU SARKAR

BEFORE:

The Hon'ble JUSTICE SABYASACHI BHATTACHARYYA

Date: April 20, 2023.

Appearance:

Mr. M. S. Yadav, Adv.
Mrs. Saswati Chatterjee, Adv.
Mrs. Satabdi Naskar (Kundu), Adv.
... for the petitioner

Mr. Asit Baran Raut, Adv.
Mr. Surajit Roy, Adv.
Mr. Tuhin Subhra Raut, Adv.
Mr. Rahul Gupta, Adv.
Ms. Ishita Raut, Adv.
... for the respondent

The Court: Affidavit-of-service filed today be kept on record.

Learned counsel for the petitioner submits that there is an arbitration clause, within the purview of which a dispute has arisen between the parties.

Learned counsel for the respondent agrees to the appointment of an Arbitrator and it is contended that previously an Arbitrator had been appointed by a Division Bench of this Court but he had subsequently resigned.

Accordingly, AP/144/2023 is disposed of by appointing Justice Tarun Kumar Gupta (Mobile nos. 9674743277/9433269178), a former Judge of this Court as the sole Arbitrator to decide the dispute between the parties subject to obtaining consent or declaration under Section 12 of the Arbitration and Conciliation Act, 1996.

It is, however, made clear, since the arbitration had proceeded up to an extent, the arbitral proceeding shall resume before the newly appointed Arbitrator from such stage.

(SABYASACHI BHATTACHARYYA, J.)

RS