

ORDER SHEET

AP/155/2023

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

DCS LIMITED
Vs
SREI EQUIPMENT FINANCE LIMITED

BEFORE:

The Hon'ble JUSTICE SABYASACHI BHATTACHARYYA

Date : 4th April, 2023.

Appearance:

Mr. Dipendra Nath Chunder, Adv.

Mr. Altamash Alim, Adv.

...for the petitioner

Mr. Swatarup Banerjee, Adv.

Mr. Sariful Haque, Adv.

Mr. Rajib Mullick, Adv.

Mr. Biswaroop Ghosh, Adv.

Ms. Sonia Mukherjee, Adv.

...for the respondent

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

Clause 9.11 of the agreement between the parties contains a dispute resolution arbitration clause. The agreement dated 15th February, 2016 contemplates certain transactions and juristic relation between the parties, which have fallen in dispute within the scope of the arbitration clause. As such, there is no impediment otherwise on the arbitrability of the dispute.

Since the parties are not *ad idem* on the name of the Arbitrator, the matter is taken up for disposal.

AP/155/2023 is disposed of appointing Mr. Sanjay Mukherjee, an Advocate practising in this Court and a member of the Bar Association, as Arbitrator to decide the dispute(s) between the parties, subject to obtaining his consent under Section 12 of the 1996 Act.

(SABYASACHI BHATTACHARYYA, J.)

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