

ODC 13

ORDER SHEET
AP/357/2021
IN THE HIGH COURT AT CALCUTTA
ORDINARY ORIGINAL CIVIL JURISDICTION
COMMERCIAL DIVISION

KITPLY INDUSTRIES LIMITED
VS
SIMPLEX INFRASTRUCTURES LIMITED

BEFORE:

The Hon'ble JUSTICE SHEKHAR B. SARAF

Date: 17th January, 2023.

Appearance:

Mr. Supratim Laha, Adv.
Mr. Bikash Shaw, Adv.

Mr. Snehashis Sen, Adv.
Mr. Aditya Sarkar, Adv.

The Court: This is a Section 11 application wherein the petitioner seeks appointment of a sole Arbitrator in terms of Clause 24 of the purchase order dated 13th March, 2019.

Counsel appearing on behalf of the respondent submits that the purchase order is unsigned. Though he fairly submits that the parties have acted on the purchase order and goods have been supplied. He prays that the issue of existence of valid agreement be kept open before the Arbitrator.

In view of the above, Mr. Nilendu Bhattacharya, [Mobile No. 9163406756] Advocate, Bar Library Club, is appointed as a sole Arbitrator to resolve the disputes between the parties. The appointment is 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.

In light of the above directions, AP 357 of 2021 is disposed of.

(SHEKHAR B. SARAF, J.)

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