

OD-14

ORDER SHEET

AP/468/2019

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

M/S. JOY ENTERPRISE
VS
STATE OF WEST BENGAL AND ANR.

BEFORE:

The Hon'ble JUSTICE SHEKHAR B. SARAF

Date : 17th February, 2023

Appearance:

Mr. Ayan Banerjee, Adv.

Mr. Arijit Bhowmick, Adv.

...for the petitioner

Mr. Paritosh Sinha, Ld. AOR

Mr. Arindam Mandal, Adv.

Mr. Domingo Gomes, Adv.

Mr. Shourya Samanta, Adv.

...for the State

The Court: Heard Counsel appearing on behalf of the parties.

This is an application under Section 14 of the Arbitration and Conciliation Act, 1996.

Considering the facts and circumstances of the case, I am of the view that the Arbitrator who had been appointed has now become *de jure* unable to perform his functions.

In light of the same, the mandate of the Arbitrator being the respondent no.3 herein is terminated and Mr. Shwetank Ginodia, Mob. No. 9619015399 is

appointed as the sole Arbitrator to resolve the dispute between the parties within a period of one year.

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.

AP/468/2019 is accordingly disposed of.

(SHEKHAR B. SARAF, J.)

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