

OD-6

AP/275/2023

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

KHAGRA JOYDEV RESOURCES PRIVATE LIMITED
Versus
DAMODAR VALLEY CORPORATION

BEFORE:

The Hon'ble JUSTICE SABYASACHI BHATTACHARYYA

Date: 12th May, 2023

Appearance:

Mr. Neelesh Choudhury, Adv.
Mr. Pranit Bag, Adv.
Ms. Anuradha Poddar, Adv.
..for the petitioner

Mr. Pradip Tarafder, Adv.
Mr. Subir Pal, Adv.
..for the respondent

The Court: In principle, the respondent does not object to arbitration.

However, the merits of the disputes are denied by the respondent.

The dispute arising between the parties is otherwise arbitrable and falls within the purview of Clause 18 of the agreement between the parties, which is the arbitration clause.

In such view of the matter, AP/275/2023 is allowed, thereby appointing Justice Indira Banerjee (Mobile No.9560808777), a former Judge of the Supreme Court, as the sole Arbitrator to resolve the dispute between the parties, subject to obtaining her consent/declaration under Section 12 of the Arbitration and Conciliation Act, 1996.

(SABYASACHI BHATTACHARYYA, J.)