

OD-12

ORDER SHEET

EC/369/2021
IA NO: GA/1/2022

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

SREI EQUIPMENT FINANCE LIMITED
VS
SUDESH MANAGEMENT SERVICES PVT LTD. AND ORS

BEFORE:

The Hon'ble JUSTICE SHEKHAR B. SARAF

Date : 26th April, 2023

Appearance:

Mr. Swatarup Banerjee, Adv.

Mr. Rajib Mullick, Adv.

Mr. Sariful Haque, Adv.

Ms. Sonia Mukherjee, Adv.

Ms. Nilkanta Basak, Adv.

...for the award-holder

Mr. Reetobroto Kr. Mitra, Adv.

Mr. Arif Ali, Adv.

Mr. S. Das, Adv.

...for the award-debtors

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

It appears that there is an arbitration award to the tune of approximately Rs.14 crores. The award has been challenged by way of a Section 34 application. Execution petition has been filed by the petitioner and in the execution petition an application has been taken out by the award-debtors.

Without going into the merits of the said applications, parties have consented to treating the award as a nullity and appointment of a new Arbitrator by this Court.

Accordingly, I appoint Justice Pranab Kumar Chattopadhyay, Former Judge of Calcutta High Court as the sole Arbitrator to resolve the dispute 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.

EC/369/2021 and IA NO: GA/1/2022 are disposed of.

AP/35/2022 is treated as on the day's list and disposed of.

Reply filed be taken on record.

(SHEKHAR B. SARAF, J.)