

OCD-2

ORDER SHEET

AP/653/2023

IN THE HIGH COURT AT CALCUTTA
Ordinary Original Civil Jurisdiction
ORIGINAL SIDE
(Commercial Division)

BHOIR DREDGING CO. PVT. LTD.
Versus
ASSOCIATES INDUSTRIAL FURNACES PVT. LTD.

BEFORE:

The Hon'ble JUSTICE MOUSHUMI BHATTACHARYA

Date : 13th September, 2023.

Appearance

Mr. Shayak Chakraborty, Adv.

Mr. Varun Kedia, Adv.

...for the petitioner

Mr. Samya Ghosh, Adv.

...for the respondent

The Court: The dispute between the parties relates to an arbitration Agreement embedded in a work order dated 19th April, 2018 for supply of crawler cranes by the petitioner to the respondent. The work order provides for arbitration and also contains the jurisdiction clause. The dispute relates to the unpaid bills of the petitioner amounting to approximately Rs.13.31 lakhs which would be evident from the petitioner invoking the arbitration clause by a notice under Section 21 of the 1996 Act. The notice is dated 10th April, 2023 and gives a tabulation of the total outstanding dues for the materials supplied by the petitioner to the respondent. The respondent did not reply to this notice.

The dispute with regard to the petitioner's unpaid bills is directly relatable to the arbitration Agreement contained in the work order.

AP/653/2023 is accordingly allowed and disposed of by appointing Mr. Kanishk Kejriwal, advocate to act as the Arbitrator subject to the learned Arbitrator communicating his/her consent in the prescribed format to the Registrar, Original Side of this Court within three weeks from date.

The petitioner's advocate-on-record shall communicate this order on the learned Arbitrator by 16th September, 2023 along with the requisite details of the contact person of the petitioner.

(MOUSHUMI BHATTACHARYA, J.)