

OD-10

ORDER SHEET

AP/730/2023

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

SHYAM SEL AND POWER LIMITED
Versus
M/S. BATLIBOI ENVIRONMENTAL ENGINEERING LTD.

BEFORE:

The Hon'ble JUSTICE MOUSHUMI BHATTACHARYA

Date : 18th October, 2023.

Appearance:

Mr. Arik Banerjee, Adv.

Mr. Jaydeb Ghorai, Adv.

Mr. Diptesh Ghorai, Adv.

...for the petitioner

Mr. U.S. Menon, Adv.

Mr. Abhirup Chakraborty, Adv.

...for the respondent

The Court: The dispute brought before the Court relates to two Purchase Orders dated 3rd June, 2021 issued by the petitioner to the respondent for supply and delivery of industrial fans. The respondent was to supply and deliver the industrial fans to the petitioner. The petitioner was not happy with the delay in delivery and invoked the arbitration clauses contained in both the purchase orders by a notice dated 22nd December, 2022. The respondent replied to this letter on 23rd January, 2023 denying the claim but not disputing the arbitration agreement.

Presently the petitioner's claim is approximately of Rs.5.50 lakhs.

Upon hearing learned counsel and being satisfied that there is an existing dispute between the parties, AP/730/2023 is allowed and disposed of by appointing Ms. Urmila Chakraborty, Counsel to act as the Arbitrator subject to the learned Arbitrator communicating 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 19th October, 2023 along with the requisite details of the contact person of the petitioner.

The affidavit of service is kept on record.

(MOUSHUMI BHATTACHARYA, J.)

sg.