

OCD-8

ORDER SHEET

AP/767/2023

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

GORACHAND SADHUKHAN
VS
JOYKALI BHANDAR AND ANR.

BEFORE:

The Hon'ble JUSTICE MOUSHUMI BHATTACHARYA

Date : 21st December, 2023.

Appearance:

Mr. Rahul Karmakar, Adv.

Ms. Ishita Kundu, Adv.

...for the petitioner

Mr. Souradeep Banerjee, Adv.

Ms. Sanjana Sinha, Adv.

..for the respondents

The Court: The dispute is between the petitioner and the second respondent who are partners in the partnership firm/respondent no.1. They are also brothers in arms and are fighting partners over the business and affairs of the respondent no.1.

The petitioner, through learned counsel, complains that the other partner has withheld the accounts of the firm and has also deprived the petitioner from access to the records of the business of the partnership. The partnership deed of 17th January, 2007 contains an arbitration clause. The petitioner sent a notice for dissolution of the partnership on 29th June, 2023

and thereafter invoked the arbitration clause by a letter dated 20th July, 2023. The respondents remained silent throughout the time and did not respond to any of these letters.

Learned counsel appearing for the respondents does not dispute that there is indeed a dispute between the parties.

Considering the materials placed before the Court and the fact that the petitioner has also quantified his claims to Rs.15 lakhs, AP/767/2023 is allowed and disposed of by appointing Mr. Debraj Sahu, counsel to act as the Arbitrator subject to the learned Arbitrator communicating his 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 23rd December, 2023 along with the requisite details of the contact person of the petitioner.

(MOUSHUMI BHATTACHARYA, J.)