

OCD-9

ORDER SHEET

AP/770/2023

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

GORACHAND SADHUKHAN
VS
M/S. JOYKALI OIL MILL AND CO. 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 in the present case is between the petitioner and the second respondent, who are brothers as well as two warring partners of the respondent no.1 partnership. The father of the petitioner and the respondent no.2, who was the other partner, passed away on 29th July, 2017.

Learned counsel appearing for the petitioner has taken the Court through the relevant documents.

It appears that the petitioner's grievance relates to the respondent no.2 not furnishing the accounts of the partnership business to the petitioner and also not giving the petitioner access to the books and records of the

partnership. The petitioner asked for dissolution of the firm by a letter dated 29th June, 2023 and thereafter invoked the arbitration clause contained in the deed of partnership, on 20th July, 2023. The respondents have not replied to any of these letters.

Considering that a dispute exists between the parties and one that is relatable to the arbitration clause, AP/770/2023 is allowed and disposed of by appointing 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.)

bp.