

OD-2

ORDER SHEET

AP/757/2022

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

SRI JHANTU HALDER
VS
M/S. MAA CONSTRUCTION

BEFORE:

The Hon'ble JUSTICE MOUSHUMI BHATTACHARYA

Date : 20th June, 2023.

Appearance:

Mr. Ayan Dutta, Adv.

Mr. Abhishek Sikdar, Adv.

Mr. Soutrio Chatterjee, Adv.

...for the petitioner

Mr. Satyajit Senaparti, Adv.

...for the respondent

The Court: The Advocate-on-record of the petitioner is not ready with his submissions. It however appears from the material disclosed in this application that the dispute between the parties arises out of a Development Agreement dated 15.03.2018 pursuant to which the respondent was engaged to develop the property belonging to the petitioner. The petitioner claims that the respondents failed to develop the property in accordance with the Development Agreement. The petitioner was therefore constrained to issue notice under Section 21 of the 1996 Act invoking the arbitration clause and appointing an arbitrator. The dispute between the parties would be further revealed from the fact that the petitioner also filed an application under Section 9 of the Act against the respondent for interim relief.

The respondent is represented.

AP/757/2022 is, accordingly, disposed of by appointing Mr. Mir Dara Sheko, former judge of this Court to act as the sole arbitrator to adjudicate the dispute between the parties subject to the arbitrator communicating his consent to the appointment in terms of the requirement of Section 12 and the Schedule to the Act in the required format. The consent is to be furnished to the Registrar, Original Side of this Court within three weeks from date and this order is to be communicated to the arbitrator forthwith.

(MOUSHUMI BHATTACHARYA, J.)

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