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ORDER SHEET
AP/846/2022
IN THE HIGH COURT AT CALCUTTA
ORDINARY ORIGINAL CIVIL JURISDICTION
COMMERCIAL DIVISION

NOVATEUR ELECTRICAL AND DIGITAL SYSTEMS PVT LTD
VS
SIMPLEX INFRASTRUCTURES LIMITED AND ANR

BEFORE:

The Hon'ble JUSTICE SHEKHAR B. SARAF

Date: 1st February, 2023.

Appearance:

Ms. Sonal Shah, Adv.

Mr. Kushagra Shah, Adv.

Ms. Rittwika Banerjee, Adv.

. . .for the petitioner.

Mr. Abhishek Banerjee, Adv.

Mr. Aditya Sarkar, Adv.

. . .for the respondent.

The Court: Heard counsel appearing on behalf of the parties.

Since both parties have consented to appointment of an Arbitrator, this Court on consent of the parties directs appointment of the Arbitrator to resolve the disputes between the parties.

In view of the above, with consent of both parties, Ms. Shrayashee Das, Advocate [Mobile No. 8420004462], is appointed as Arbitrator. The appointment is subject to submission of declaration by the Arbitrator in terms of Section 12(1) in the form prescribed in the Sixth Schedule of the Act before the Registrar, Original Side of this Court within four weeks from today.

Let this order be conveyed to the Arbitrator by the Registrar, Original Side forthwith.

In relation to the bank guarantee that covers the original purchase order and also the subsequent purchase order, the same has been renewed till June, 2023.

In light of the same, the respondents are directed not to invoke the same for a period of twelve weeks or until further orders passed by the Arbitrator whichever is earlier.

The parties shall be at liberty to file appropriate application before the Arbitrator in reference to the above.

In light of the above directions, the Section 9 application bearing no. AP 846 of 2022 is disposed of.

(SHEKHAR B. SARAF, J.)

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