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

AP/49/2024

PRDEEP AGARWAL
VS
MURARI LAL AGARWAL AND OTHERS

BEFORE:

The Hon'ble JUSTICE RAVI KRISHAN KAPUR

Date : 7th March, 2024.

Appearance:
Anirudha Mitra, Adv.
Mr. Rajdeep Bhattacharya, Adv.
Mr. S. Dutta, Adv.
Mr. D. Baernjee, Adv.

The Court: This is an application filed under Section 14 read with Section 15 of the Arbitration and Conciliation Act, 1996 (the Act) inter alia, seeking a direction for termination of the mandate of the Arbitrator.

By an order dated 15th June, 2023, this Court had appointed a Sole Arbitrator for adjudicating the dispute between the parties.

The primary grievance of the applicant is directed against the remuneration of the Arbitrator. It is submitted that the Arbitrator has fixed a grossly exorbitant fee for conducting the arbitral sittings. It is further submitted that the fees fixed by the Arbitrator is contrary to the 4th Schedule of the Act. In support of such contention, the applicant inter-alia relies on *(Madras Fertilizers Limited Vs. SICHIL India Limited) 2010 (2) CTC 357*.

The respondents are represented and oppose the submissions made on behalf of the applicant.

AP/49/2024 is disposed of by granting liberty to the applicant to raise the above grievance by filing an appropriate application before the Learned Arbitrator who is requested to dispose of the same in accordance with law.

It is made clear that there has been no adjudication on the merits of the grievance raised by the petitioner and all points are left open to be decided by the Learned Arbitrator.

(RAVI KRISHAN KAPUR, J.)

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