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ORDER SHEET
AP/867/2023
IN THE HIGH COURT AT CALCUTTA
ORDINARY ORIGINAL CIVIL JURISDICTION
ORIGINAL SIDE

INDWELL CONSTRUCTIONS PVT. LIMITED
VS
BHARAT HEAVY ELECTRICALS LIMITED (BHEL)

BEFORE:

The Hon'ble JUSTICE SABYASACHI BHATTACHARYYA

Date: 8th July, 2024.

Appearance:

Mr. S. Pal Chowdhury, Adv.

Ms. Shilpi Paul, Adv.

. . .for the petitioner.

Mr. AA Chakraborty, Adv.

Mr. Soumya Ray, Adv.

Ms. Anwesha Saha, Adv.

. . .for the respondent.

The Court: It transpires from a report by the Registrar, Original Side that the erstwhile Arbitrator who was appointed in the case has since recused. Mr. Pal Chowdhury, learned counsel for one of the parties, hands over a photocopy of an order passed by the said sole Arbitrator where it is recorded that the original case records of the arbitral proceedings are kept in the custody of Mr. Pal Chowdhury and he will ensure that there will be no addition or alteration of the original records.

Mr. Pal Chowdhury also submits that an application bearing AP 94 of 2024 has been filed for appointment of a new Arbitrator.

The said application is treated to be as on the day's list on consent of the parties.

The said application be deemed to stand disposed of by appointment of Justice Prasenjit Mandal, (retired), as the sole Arbitrator to resolve the disputes between the parties subject to obtaining a disclosure from the learned Arbitrator under Section 12 of the Arbitration and Conciliation Act, 1996. The learned Arbitrator shall fix his own remuneration in consonance with the provisions of the 1996 Act and its schedules.

Mr. Pal Chowdhury, learned Advocate, shall ensure that the records of the case are handed over to the newly appointed Arbitrator as it is at the earliest.

(SABYASACHI BHATTACHARYYA, J.)

SP/