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

AP-COM/585/2024

KERALA STATE ELECTRONICS DEVELOPMENT
CORPORATION LIMITED
VS
BIDHANNAGAR MUNICIPAL CORPORATION

BEFORE:

The Hon'ble JUSTICE RAVI KRISHAN KAPUR

Date : 15th May, 2024.

Appearance:

Mr. Kushal Chatterjee, Adv.

Mr. S. Mitra, Adv.

Ms. L. Ray, Adv.

Mr. S. Mitra, Adv.

Mr. Sirsanya Bandopadhyay, Adv.

Mr. T. Dey, Adv.

Mr. A. K. Nag, Adv.

The Court: This is an application filed under Section 11 read with Sections 14 and 15 of the Arbitration and Conciliation Act, 1996 seeking termination of the mandate of the Arbitrator. By an order dated 15th March, 2022, a Coordinate Bench had appointed Justice K.R. Udayabhanu (retired) as a Sole Arbitrator. Pursuant to such appointment, the Arbitrator has held several sittings and the pleadings of the parties have been completed.

It is submitted by both the parties that the matter is ready for hearing. By a letter dated 24th April, 2024, the Learned Sole Arbitrator had expressed an intention of being unable to act any further primarily on the ground of ill-health.

In such circumstances, the mandate of the Arbitrator stands terminated. By consent of the parties, the Hon'ble Justice Kalyan Jyoti Sengupta (Retired) former Chief Justice of the High Court at Hyderabad, Andhra Pradesh and Telangana is appointed as a Sole 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.

It is made clear that the arbitral proceeding shall commence that from the stage of arguments as recorded in the Minutes of the erstwhile Arbitrator as well as the letter dated 24th April, 2024. The Advocates of both the parties are requested to jointly take steps to obtain the records of the arbitral proceedings from the Office of the erstwhile Arbitrator and forward the same to the Sole Arbitrator.

With the aforesaid directions, AP-COM/585/2024 stands disposed of.

(RAVI KRISHAN KAPUR, J.)