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ORDER SHEET
AP/95/2024
IN THE HIGH COURT AT CALCUTTA
ORDINARY ORIGINAL CIVIL JURISDICTION
ORIGINAL SIDE

B.S. ENTERPRISE
VS
SMT. SILA DAS AND ORS.

BEFORE:
The Hon'ble JUSTICE SHAMPA SARKAR
Date: 12th November, 2024.

Appearance:
Mr. Pradyat Saha, Adv.
...for the petitioner

Mr. Prosenjit Mukherjee, Adv.
Mr. Saptarshi Chakraborty, Adv.
Mr. Jahangir Hossain, Adv.
Ms. Monisa Mandal, Adv.
...for the respondent

The Court: This is an application under Section 11 of the Arbitration and Conciliation Act, 1996. The dispute arises out of a joint venture agreement between the parties. The Article IV of the agreement contains the arbitration clause. The notice invoking arbitration is dated March 14, 2024. The respondent replied to the said notice. It appears that a proceeding under Section 9 of the said Act is pending before the District Judge, Alipore. It also appears that a suit and a writ petition, are also pending. The arbitrability of the dispute shall be decided by the learned Arbitrator. All points raised by the respondent may be urged before the learned Arbitrator.

Under such circumstances, the Court appoints Mr. Tanmay Mukherjee, learned Advocate as the Arbitrator, to arbitrate the dispute. This order is subject to compliance of Section 12 of the Arbitration and Conciliation Act, 1996.

The learned Arbitrator shall fix his own remuneration as per the provisions of the Arbitration and Conciliation Act.

AP/95/2024 is, accordingly, disposed of.

(SHAMPA SARKAR, J.)