

OCD-1

IN THE HIGH COURT AT CALCUTTA
Ordinary Original Civil Jurisdiction
ORIGINAL SIDE
(Commercial Division)

AP-COM/662/2024
SREI EQUIPMENT FINANCE LIMITED
VS
GREEN GOLD GLOBAL RESOURCES LLP AND ANR.

BEFORE:

The Hon'ble JUSTICE SABYASACHI BHATTACHARYYA

Date : 8th October, 2024.

Appearance:

Mr. Sariful Haque, Adv.

Ms. B. Pall, Adv.

..for the petitioner.

Mr. S. Baid, Adv.

Mr. A. Ahuja, Adv.

...for the respondents.

The Court: Heard learned counsel for the parties.

In view of the agreement between the parties containing an arbitration clause which covers the dispute which has now arisen between the parties and the dispute being otherwise arbitrable, there cannot be any impediment in referring the matter to arbitration.

Learned counsel for the respondents points out that the respondent no.1, previously a Limited Liability Partnership, has now been converted to a Private Limited Company and, accordingly, is now named Green Gold Global Resources (P) Limited. Leave is granted to the learned advocate-on-record for the petitioner to carry out the necessary correction accordingly in the cause-title of the present application.

Since no affidavits are invited, it is deemed that none of the allegations made in the present application are admitted by the respondents.

AP-COM/662/2024 is, accordingly, allowed, thereby appointing Justice Indira Banerjee, a retired Judge of the Supreme Court of India, as the sole Arbitrator to resolve the disputes between the parties, subject to a declaration under Section 12 of the Arbitration & Conciliation Act, 1996 being obtained from the said learned Arbitrator. The learned Arbitrator shall fix her own remuneration within the framework of the 1996 Act, read with its Fourth Schedule.

(SABYASACHI BHATTACHARYYA, J.)