

AP/137/2024

IN THE HIGH COURT AT CALCUTTA
ORDINARY ORIGINAL CIVIL JURISDICTION
ORIGINAL SIDE

SRI SRI RADHA GOVINDA JEW ESTATE
AND ORS.

-VERSUS-

JOYDEB SAHA AND ANR.

BEFORE:

The Hon'ble JUSTICE SHAMPA SARKAR

Date: 18th November, 2024

Appearance:

Mr. Meghnad Dutta, Adv.

Mr. AbirDebnath, Adv.

Mr. S. Prasad, Adv.

...for the Petitioner.

Mr.PradeepSancheti, Adv.

Mr. JatanMonga, Adv.

...for the respondent no.2.

The Court: Affidavit of service filed in Court is taken on record.

The respondent no.2 has been duly served with a copy of the application.

The respondent no.1 has refused service. The postal track report has been annexed to the affidavit of service. Thus, the matter proceeds in the absence of the respondent no.1.

This is an application under Section 11 of the Arbitration and Conciliation Act, 1996.

The petitioner entered into a development agreement with the respondents. The development agreement contains an arbitration clause. Disputes cropped up with regard to non-payment of alleged sum payable

as per the agreement. Notice invoking arbitration was issued by the petitioners.

Under such circumstances, this Court appoints Mr. Rudraman Bhattacharyya, Advocate, Bar Library Club, as sole arbitrator to arbitrate the disputes between the parties. This appointment is subject to compliance of Section 12 of the Act of 1996. The learned Arbitrator shall be at liberty to fix his remuneration in the reference.

All objections, which the respondent no.2 has raised and which are available from the records may be raised before the sole Arbitrator.

Accordingly, AP/137/2024 is disposed of.

All parties are to act on the basis of server copy of this order.

(SHAMPA SARKAR, J.)