

OD-4

ORDER SHEET

AP/156/2024

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

NAVIN KRISHNA
VS
AXIS BANK LIMITED

BEFORE:

The Hon'ble JUSTICE SABYASACHI BHATTACHARYYA

Date : 3rd September, 2024.

Appearance:

Md. Tabraiz, Adv.

Mr. Parashar Baidya, Adv.

Ms. Sanjana Basu, Adv.

...for the petitioner

The Court: Affidavit of service filed in Court today be kept on record.

Learned counsel for the petitioner places reliance on the annexures to the application and submits that upon the ineligibility of the Arbitrator previously appointed being pointed out, the erstwhile Arbitrator recused from the matter, necessitating a termination of the mandate and substitution of the Arbitrator. It is submitted that in view of the total claim being miniscule, a learned junior member of the Bar be appointed.

Keeping in view the circumstances of the case, AP/156/2024 is allowed, thereby terminating the mandate of the erstwhile Arbitrator and appointing Mr. Dibesh Dwivedi (Mobile No. 8617743904), a practitioner in the Circuit Bench of this Court at Port Blair, as the sole Arbitrator to resolve the disputes between the parties, subject to a declaration under Section 12

of the Arbitration and Conciliation Act, 1996 being obtained from the said learned Arbitrator.

The learned Arbitrator shall proceed from the stage up to which the arbitral proceeding has already reached. It is expected that the parties would cooperate so that the balance arbitral proceedings are concluded within 2-3 sittings more.

Keeping in view the paltry quantum of the claim, the remuneration of the said newly appointed learned Arbitrator shall be Rs.30,000/- for each sitting, to be shared equally by both the parties.

(SABYASACHI BHATTACHARYYA, J.)

bp/R.Bhar