

OCD -9

ORDER SHEET

AP-COM/890/2024

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

TATA CAPITAL LIMITED

VS

PIPE SOLUTIONS INDIA CORPORATION AND ORS.

BEFORE:

The Hon'ble JUSTICE SHAMPA SARKAR

Date: 6th November, 2024.

Appearance:

Mr. Avishek Guha, Adv.

Ms. Enakshi Saha, Adv.

Ms. Debika Misra, Adv.

.... for the petitioner

The Court:Supplementary affidavit enclosing a copy of the agreement and the affidavit of service are taken on record.

The petitioner is a finance company. The respondent no. 1 is a borrower. The respondent nos. 2 and 3 are the guarantors. The postal articles containing service of the application, have been delivered at the last known addresses of the respective respondents. Despite service, none appears on behalf of the respondents. Under such circumstances, the matter is taken up in their absence.

The petitioner place the arbitration clause. The petitioner also places the notice invoking arbitration.

Under such circumstances, the application is disposed of by appointing Mr. Aniruddha Mitra (M-9831205865) learned Advocate as the sole arbitrator to arbitrate the dispute. The learned Arbitrator shall comply with the provisions of Section 12 of the Arbitration and Conciliation Act, 1996. The learned Arbitrator shall be at liberty to fix his remuneration as per the schedule of Arbitration and Conciliation Act, 1996. All points available to the respondents against the claim, can be raised before the learned Arbitrator in accordance with law.

The petitioner will communicate this order to the respondent.

(SHAMPA SARKAR, J.)

