

OCD-13

AP-COM/938/2024
IN THE HIGH COURT AT CALCUTTA
ORDINARY ORIGINAL CIVIL JURISDICTION
COMMERCIAL DIVISION
ORIGINAL SIDE

PRIYA ENTERTAINMENTS PRIVATE LIMITED
VS
SHRIMARC MALL LLP

BEFORE:

The Hon'ble JUSTICE SHAMPA SARKAR

Date : 10th December, 2024.

Appearance:

Mr. Sabyasachi Choudhury, Adv.

Mr. Ayan Dutta, Adv.

Ms. Swastika Sengupta, Adv.

. . .for the petitioner.

Mr. Partha Banerjee, Adv.

. . .for the respondent.

The Court: This is an application under Section 11 of the Arbitration and Conciliation Act, 1996. Both the parties are present in court.

The dispute is with regard to non-renewal of the license agreement. The petitioner refers to Clause 6.29 of the license agreement which contains the Arbitration Clause. Petitioner refers to the notice issued under Section 21 of the said Act. The arbitration clause provides that any dispute or difference arising out of the subject agreement, shall be referred to an Arbitral Tribunal consisting of three arbitrators. Each of the parties shall appoint its nominee and the third arbitrator shall be appointed by the nominees of the parties. The venue of arbitration is Kolkata. The petitioner had already proposed the name of Hon'ble Justice Sanjib Banerjee, former Chief Justice of Madras and Meghalaya High

Court as its nominee. The respondent did not respond to the notice. The Court appoints Hon'ble Justice Jyotirmay Bhattacharya, former Chief Justice of the High Court at Calcutta as the nominee of the respondent.

The two learned Arbitrators will appoint the presiding Arbitrator.

This order is subject to compliance of Section 12 of the Arbitration and Conciliation Act, 1996.

The learned Tribunal shall fix the remuneration as per the Schedule of the Act.

AP-COM/938/2024 is, accordingly, disposed of.

(SHAMPA SARKAR, J.)

Sp/