

OCD 10

ORDER SHEET
AP-COM/943/2024
IN THE HIGH COURT AT CALCUTTA
ORDINARY ORIGINAL CIVIL JURISDICTION
COMMERCIAL DIVISION

RADHA KRISHNA TIE UP PRIVATE LIMITED
VS
MONALISA SINHA

BEFORE:
The Hon'ble JUSTICE SHAMPA SARKAR
Date: 20th November, 2024.

Appearance:
Mr. Debraj Sahu, Adv.
Mr. Hareram Singh, Adv.
Ms. Swagata Ghosh, Adv.
...for the petitioner

Mr. Chadrangshu Ghosh, Adv.
Ms. Debolina Dey, Adv.
...for the respondent

The Court: Affidavit of service is taken on record.

This an application under Section 11 of the Arbitration and Conciliation Act, 1996. The dispute arises out of a development agreement. Both the parties invoked arbitration but they could not come to an agreement with regard to their nominees. Hence, the application has been filed.

Although learned advocate for the respondent has raised questions with regard to certain factual aspects, all such issues are to be decided in the arbitration proceeding.

Liberty is granted to the respondent to raise all objections at the appropriate stage. Parties agree and submit before the court that three arbitrators be appointed by court.

Considering the arbitration clause, the notice invoking arbitration, and the submissions of the parties, the Court appoints Mr. Sanjay Mukherjee learned Advocate (Mob. No.9836430202), as the petitioner's nominee. Mr. Tanmay Mukherjee, learned advocate as the respondents' nominee and Mr. Partha Pratim Roy, learned Advocate, as the presiding Arbitrator. The appointment is subject to compliance of Section 12 of the Arbitration and Conciliation Act, 1996 by all the learned arbitrators and the learned Arbitrators shall fix their own remuneration as per the provisions of the Arbitration and Conciliation Act.

AP-COM/943/2024 is, accordingly, disposed of.

(SHAMPA SARKAR, J.)