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

AP/694/2022
ARUN CHAKRABORTY
VS
SUDIPTA CHATTERJEE AND ORS.

BEFORE:
The Hon'ble JUSTICE RAVI KRISHAN KAPUR
Date : 23rd April, 2024.

Appearance:
Mr. Debdutta Raha, Adv.
Mr. Nepesh Majhi, Adv.
...for the petitioner.

Mr. Rivu Dutta, Adv.
Mr. Rhitam Chatterjee, Adv.
...for the respondents.

The Court: This is an application under Section 11 of the Arbitration & Conciliation Act, 1996. The disputes between the parties arise out of a development agreement dated 18 July, 2013.

It is submitted on behalf of the petitioner developer, that pursuant to the agreement, the petitioner had advanced a sum of approximately Rs.25 lakhs to the respondent owners of the subject premises, who are now refusing to honour their obligations under the agreement.

Both parties agree that there are arbitrable disputes between the parties and the same are covered under the arbitration clause.

Clause 2 (t) of the agreement dated 18 July, 2013 provides as follows:

“(t) That if any disputes or differences which may arise between the parties or their representatives with regards to the construction or title of the property or any matter relating the this, if not settled by mutual settlement, shall be

referred to ARBITRATION of an impartial arbitrator and the decision of such arbitrator shall be final and binding on all the parties or their representatives as per the provision of the act shall apply to such arbitration.”

Upon consideration of the materials before this Court and on the basis of the submissions between the parties, AP 694 of 2022 stands disposed of by appointing Mr. Meghajit Mukherjee, Advocate (M-9830203224), subject to the Arbitrator communicating his consent in the prescribed format to the Registrar, Original Side of this Court within three weeks from date.

The Advocate on Record of the petitioner shall communicate this order to the Learned Arbitrator forthwith and positively within 10 days from the date of passing of this order.

With the aforesaid directions, AP/694/2022 stands disposed of.

(RAVI KRISHAN KAPUR, J.)