

ORDER SHEET

IN THE HIGH COURT AT CALCUTTA
COMMERCIAL DIVISION
ORIGINAL SIDE

CS-COM/766/2024
[Old No. CS/52/2023]

MOUNTVIEW TIE UP PRIVATE LIMITED
VS
SAI ANGAN CONSTRUCTION PRIVATE LIMITED

Wt.

CS-COM/423/2024

SAI ANGAN CONSTRUCTION PRIVATE LIMITED
VS
MOUNTVIEW TIE UP PRIVATE LIMITED

BEFORE:

The Hon'ble JUSTICE KRISHNA RAO

Date : April 2, 2025.

Appearance :

Mr. Supriyo Gole, Adv.

Mr. Aishwarya Kumar Awasthi, Adv.

... for the plaintiff in CS-COM/766/2024
and defendant in CS-COM/423/2024

Mr. Shiv Ratan Kakrania, Adv.

... for the defendant in CS-COM/766/2024
and plaintiff in CS-COM/423/2024

1. Mr. Aishwarya Kumar Awasthi, learned Advocate, is appearing for the plaintiff in CS-COM/766/2024 and defendant in CS-COM/423/2024
2. Mr. Shiv Ratan Kakrania, learned Advocate, is appearing for the defendant in CS-COM/766/2024 and plaintiff in CS-COM/423/2024.
3. In CS-COM/766/2024, the plaintiff has prayed for decree for a sum of Rs.5,95,72,091/- along with interest at the rate of 18 % per annum.
4. In CS-COM/423/2024, the plaintiff has prayed for decree for a sum of Rs.1,21,45,767/- along with interest at the rate of 18 % per annum.

5. Counsel for the parties of both the suits submit that both the parties have taken a conscious decision for referring the matter to an Arbitrator. Counsel for the parties submit that for the purpose of determination and adjudication of the differences and disputes in CS-COM/766/2024 and CS-COM/423/2024, the matters be referred to an Arbitrator.
6. Considered the submission made by the counsel for the respective parties.
7. As both the parties have agreed to refer the matter to an Arbitrator to adjudicate the claims between the parties, accordingly, Mr. Justice Subrata Talukdar (retired) Judge of this Court, is appointed as an Arbitrator to decide the disputes between the parties.
8. The Arbitrator shall raise his fees in terms of Schedule IV of the Arbitration and Conciliation Act, 1996.
9. In view of the above, CS-COM/766/2024 and CS-COM/423/2024 are disposed of.
10. Counsel for the defendant in CS-COM/766/2024 is given liberty to file *vakalatnama* in course of the day in the department.

(KRISHNA RAO, J.)