

ORDER

OCD-4

IN THE HIGH COURT AT CALCUTTA
COMMERCIAL DIVISION
ORIGINAL SIDE

AP-COM/397/2025
M/S. R. S. ENTERPRISE
VS
SIMPLEX INFRASTRUCTURES LIMITED

BEFORE:

The Hon'ble JUSTICE SHAMPA SARKAR

Date: 21th MAY, 2025.

Appearance:

Mr. Somnath Saha, Adv.
...for petitioner.

Mr. Sitikantha Mitra, Adv.
... for respondent.

1. This is an application for appointment of an arbitrator upon elevation of the erstwhile learned arbitrator as a learned judge of this Court. Thus, the petitioner prays for recording termination of the mandate of the erstwhile learned arbitrator and appointment of a substitute arbitrator in his place. It is submitted that statement of claim and statement of defence had been filed before the learned erstwhile arbitrator.
2. Considering the situation, this Court deems it fit to allow this application by appointing a learned substitute arbitrator in place of His lordship. The parties are at liberty to pray before the office of His lordship for return of the records, so that they may be placed before the learned substitute arbitrator.

3. Under such circumstances, the application is allowed. This Court appoints Mr. Siddhartha Lahiri, Advocate, (Mobile No.9830082839), as the learned arbitrator, to arbitrate upon the disputes between the parties. This appointment is subject to compliance of Section 12 of the Arbitration and Conciliation Act, 1996. The learned arbitrator shall fix his own remuneration as per the Schedule of the Act. The learned arbitrator shall take up the matter from the stage it was last held.
4. The application is disposed of.

(SHAMPA SARKAR, J.)

S.Kumar