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

AP/86/2025
SMT BITHIKA MANDAL
VS
SMT BHUDI HALDER AND ORS.

BEFORE:
The Hon'ble JUSTICE SHAMPA SARKAR
Date: 4th December, 2025.

Appearance:
Mr. Debasis Sur, Adv.
Mr. Goutam Sardar, Adv. ...for petitioner.

Mr. Bhaskar Bhattacharyya, Adv.
Mr. Mrinmoy Chatterjee, Adv. ...for respondent no.3.

The Court: The affidavit of service is taken on record. The respondent nos.6 and 7 have refused service. The respondent no.3 is represented through learned advocate. None appears on behalf of respondent nos.1, 2, 4, and 5. All these respondents have been served with a copy of the application. Thus, the matter is taken up ex parte against those none appearing respondents.

The petitioner seeks resolution of disputes by a sole arbitrator in terms of clause 2 of the Memorandum of Understanding dated June 13, 2024. Disputes cropped up between the parties when possession of the land had not been handed over to the petitioner, although the petitioner alleged that the total consideration money had been paid. It has also been submitted that the necessary registration has not been carried out by the respondents.

A notice invoking arbitration was issued on January 10, 2025. The respondents did not take steps despite having received such notice.

Under such circumstances, the petitioner found no other alternative, but to approach this Court in accordance with the provisions of the Arbitration and Conciliation Act, 1996.

Under such circumstances, this application is disposed of by appointing Aritra Roy Chowdhury, learned Advocate (Mob. No. 7687920599), as the learned Arbitrator. This court has not gone into the allegations made by the parties. The parties are at liberty to raise all the points before the learned Arbitrator.

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

The learned Arbitrator shall fix his remuneration in terms of the Schedule of the Act.

AP/86/2025 is, accordingly, disposed of.

(SHAMPA SARKAR, J.)

pkd.