

ORDER

OD – 1 &2

IN THE HIGH COURT AT CALCUTTA
ORDINARY ORIGINAL CIVIL JURISDICTION
ORIGINAL SIDE

AP/93/2025
ASHOK KUMAR JAISWAL AND ORS.
VS
KALAMUNJ REALTORS PVT LTD.

WITH

AP/94/2025
ASHOK KUMAR JAISWAL AND ORS.
VS
KALAMUNJ REALTORS PVT LTD.

BEFORE:
THE HON'BLE JUSTICE SHAMPA SARKAR
Date : 23rd July 2025.

Appearance:

Mr. Jishnu Chowdhury, Senior Adv.
Mr. Chayan Gupta, Adv.
Mr. Sayantan Chatterjee, Adv.
Mr. Niladri Banerjee, Adv.
Ms. Mili Mondal, Adv.
...for petitioners.

Mr. Swatarup Banerjee, Adv.
Mrs. Bisakha Pal, Adv.
...for respondent No. 1 & 2.

Re: AP/94/2025

1. AP/94/2025 is an application for appointment of a substitute arbitrator on account of demise of the erstwhile arbitrator. The proceeding was continuing when the unfortunate event happened.

2. The proceedings could not be concluded and the situation is covered by Section 14 of the Arbitration and Conciliation Act, 1996. This application is allowed.
3. This Court appoints Mr. Jishnu Saha, learned Senior Advocate, Bar Library Club, as a substitute 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 decide the stage from which the arbitral proceeding is to continue and shall fix his remuneration as per the Schedule of the Arbitration and Conciliation Act, 1996.
4. AP/94/2025 is disposed of.

Re: AP/93/2025

5. AP/93/2025 is an application for extension of mandate of the arbitrator.
6. In view of the appointment of the substitute arbitrator in AP/94/2025, the mandate of the learned arbitrator stands automatically extended. The learned arbitrator shall make an endeavour and publish his award within a year from the date of communication of this order, and parties are always at liberty to extend as per law, thereafter.
7. AP/93/2025 is disposed of.

(SHAMPA SARKAR, J.)