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ORDER SHEET
AP-COM/541/2025
IN THE HIGH COURT AT CALCUTTA
ORDINARY ORIGINAL CIVIL JURISDICTION
COMMERCIAL DIVISION

GRIHALAKSHMI MERCANTILE PVT. LTD. AND ORS.
VS
MR. ADARSH DUBEY AND ANR.

BEFORE:
The Hon'ble JUSTICE SHAMPA SARKAR
Date: 13th November, 2025.

Appearance:
Mr. Soumava Mukherjee, Adv.
...for the petitioners

Mr. Ramendu Agarwal, Adv.
Mr. Rishika Goyal, Adv.
Ms. Sonia Das, Adv.
...for the respondents

The Court:

1. The dispute is between the partners of a registered partnership firm. The matter was sent for mediation, but the mediation has failed. The petitioners and the respondent no.1 are the partners of the firm. The respondent no.2 is the firm. The notice invoking arbitration was issued on May 1, 2025. The deed of partnership dated February 7, 2020 contains an arbitration clause. The deed was registered in Kolkata and the partnership business is being carried on in Kolkata. The dispute arose when the respondent no.1 unilaterally decided to resign from the business. The petitioners raised certain disputes with regard to the

liabilities of the partners and it was alleged that the decision to resign would be governed by Clause 16 of the deed. The petitioners raised a claim for payment of a sum equivalent to the amount lying in the capital account against the share of the respondent no.1 and also asked for an indemnity bond to the extent that the respondent no.1 would be equally responsible to pay the statutory dues to the authorities and shall be bound by the ultimate outcome of the proceedings before the Income Tax Authority. Under such circumstances, the dispute between the parties remained unsolved and hence, the application has been filed before this Court. In view thereof, the petitioner seeks reference of the matter to a sole arbitrator. The prayer is allowed.

2. Under such circumstances, the Court appoints Mr. Sounak Bhattacharya, learned Advocate, Bar Association, Mob. No. 9830420018 as the 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/her own remuneration as per the Schedule of the Act.
3. AP-COM/541/2025 is, accordingly, disposed of.

(SHAMPA SARKAR, J.)