

ORDER SHEET
AP-COM/567/2025
IN THE HIGH COURT AT CALCUTTA
COMMERCIAL DIVISION
ORIGINAL SIDE

SHRI RABIN PRAMANICK
VS
MR RANJIT NASKAR

BEFORE:
The Hon'ble JUSTICE SHAMPA SARKAR
Date: 18th September, 2025.

Appearance:
Mr. Rishav Singh, Adv.
Mr. Aurin Chakraborty, Adv.
Mr. Soumalya Dutta, Adv.
...for the petitioner

Ms. Baijayanti Roy, Adv.
Mr. Rahul Uday Singh, Adv.
...for the respondent

The Court:

1. The petitioner prays for appointment of an Arbitrator on the basis of Clause 19 of the Partnership Deed dated February 4, 2000. According to the petitioner, disputes arose between the parties when the share of profit and loss has not been equally divided. The petitioner intended to dissolve the partnership and filed a suit being Title Suit No.342 of 2021 before the Learned Civil Judge, (Senior Division) at Howrah claiming dissolution of the partnership firm and distribution of the assets. Ultimately, by an order dated December 24, 2024, the suit was disposed of with the observation that the deed of partnership contained

an arbitration clause and the petitioner should avail of such remedy. Accordingly, notice invoking arbitration was issued on May 8, 2025 and this application has been filed as the respondent did not agree to the request for reference to arbitration.

2. Learned advocate for the respondent submits that the factual allegations made by the petitioner are not correct and all issues are triable.
3. Under such circumstances, the application is allowed and the Court appoints Mr. Ritoban Sarkar, learned Advocate 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 own remuneration as per the Schedule of the Act.
4. The application is, accordingly, disposed of.

(SHAMPA SARKAR, J.)