

ORDER SHEET
IN THE HIGH COURT AT CALCUTTA
ORIGINAL CIVIL JURISDICTION
ORIGINAL SIDE

AP/128/2025
NEETU AGARWAL
VS
SHAUVIK NUNDY

BEFORE:

The Hon'ble JUSTICE SHAMPA SARKAR

Date: 4th December, 2025.

Appearance:

Mr. Arijit Doss Mullick, Adv.

Ms. Esha Majumder, Adv.

Ms. Pallabi Sardar, Adv.

...for the petitioner

Ms. Ujjaini Chatterjee, Adv.

Mr. Sidharta Basu, Adv.

.....for the respondent

The Court: Both parties submit that they have claims and counter-claims against each other. They also submit that disputes have arisen out of an agreement for interior design. The work order indicating “BOQ FOR INTERIOR AND FURNISHING WORK” was issued by the petitioner to the respondent. A notice invoking arbitration was issued on March 3, 2023. The work order against the BOQ contains an arbitration clause, which provides that in case of any dispute out of the said contract, parties shall mutually appoint an arbitrator. Despite such notice having been issued, the respondent did not agree to the request for appointment of an arbitrator. Thus, the mechanism failed.

Under such circumstances, the application is allowed, leaving the question of arbitrability of the dispute, admissibility of the claim, limitation etc. open and to be decided by the learned arbitrator.

Ms. Deblina Lahiri, learned Advocate, Bar Library Club is appointed as the learned Arbitrator.

The learned Arbitrator shall comply with the provisions of Section 12 of the Arbitration and Conciliation Act, 1996. The learned Arbitrator shall be at liberty to fix his remuneration as per the schedule of Arbitration and Conciliation Act, 1996.

(SHAMPA SARKAR, J.)

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