

OCD 19

ORDER SHEET
AP-COM/700/2025
IN THE HIGH COURT AT CALCUTTA
COMMERCIAL DIVISION
ORIGINAL SIDE

BHAGWANDAS VEHICLE TEST SERVICES PVT LTD
VS
RITU GUPTA

BEFORE:

The Hon'ble JUSTICE SHAMPA SARKAR

Date: 24th September, 2025.

Appearance:
Mr. Biswaroop Ghosh, Adv.
Mr. Rajib Mullick, Adv.
. . .for the petitioner.

The Court:

1. This is the second service upon the respondent.
2. Affidavit of service is taken on record.
3. Despite service, none appears to oppose this application.
4. This is an application for appointment of an Arbitrator in terms of Clause 21 of the leave and license agreement. The leave and license agreement between the parties was executed on March 1, 2022. The respondent is the licensee in respect of the shop and the petitioner is the licensor. It is submitted that disputes arose between the parties. Clause 21 of the leave and license agreement provides that settlement of disputes arising out of the agreement, including termination thereof, shall be adjudicated by an arbitrator to be

appointed by the licensor. As the law does not permit unilateral appointment, the petitioner has approached this Court for appointment of an Arbitrator.

5. It is submitted that a notice invoking arbitration was duly issued on 30th June, 2025.
6. Under such circumstances, the application is disposed of by appointing Mr. Amitabha Ghosh, learned senior Advocate [Mobile No. 9830292893, 9477554973] 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.
7. Needless to mention that, all objections which are available to the respondent including the question of jurisdiction, arbitrability, limitation etc. shall be raised before the learned Arbitrator. This order does not touch on the merits of the dispute involved.
8. The application is, accordingly, disposed of.

(SHAMPA SARKAR, J.)