

ORDER

OCD-17

IN THE HIGH COURT AT CALCUTTA
COMMERCIAL DIVISION
ORIGINAL SIDE

AP-COM/745/2025
SENS CHEMICAL WORKS PRIVATE LIMITED
VS
SNOWBALL INDUSTRY PRIVATE LIMITED

BEFORE:

The Hon'ble JUSTICE SHAMPA SARKAR

Date: 22nd September, 2025.

Appearance:-

Mr. Ishaan Saha, Adv.
Mr. Satyam Bhimsaria, Adv.
Ms. Shreya Goenka, Adv.
...for petitioner.

Mr. Ayan Kr. Boral, Adv.
Ms. Saswati Sengupta, Adv.
Mr. Ajay Kr. Mishra, Adv.
...for respondent.

1. Liberty is granted to the respondent to file Vakalatnama and affidavit of competency within two weeks after reopening of the Court after the vacation.
2. This is an application for appointment of a learned arbitrator for adjudication of the disputes which arose out of a lease agreement dated December 1, 2023 and the service agreement also dated December 1, 2023.
3. By the lease agreement dated December 1, 2023, the respondent was inducted as a lessee on certain terms and conditions. By the service agreement dated December 1, 2023, the petitioner agreed to provide

certain infrastructural facilities and maintenance services in respect of leasehold property. It is submitted that the agreements are interconnected. The lease agreement contains an arbitration clause. Disputes arose in respect of the agreements. It is submitted by Mr. Saha that the service agreement is co-extensive, co-existent and co-terminus with the lease agreement and refers to the relevant clause in the service agreement.

4. As both parties submit that there are live disputes and in view of the invocation by a notice dated August 7, 2025, the application is allowed, leaving all objections available to the respondent open and to be adjudicated by the learned arbitrator at the appropriate stage. All issues with regard to arbitrability, jurisdiction, limitation etc. are thus not gone into.
5. Under such circumstances, this Court disposes of the application by appointing Mr. Abhidipto Tarafdar, learned Advocate, as an 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 remuneration as per the Schedule of the Arbitration and Conciliation Act, 1996.

(SHAMPA SARKAR, J.)