

IN THE HIGH COURT AT CALCUTTA
COMMERCIAL DIVISION
ORIGINAL SIDE

AP-COM/746/2025
M/S. SREEPATI RANJAN GOPE AND SONS
VS
THE UNION OF INDIA & OTHERS

BEFORE:

The Hon'ble JUSTICE SHAMPA SARKAR

Date: 27th November 2025.

Appearance:-

Mr. Nilanjan Bhattacharjee, Sr. Advocate
Mr. Arpan Guha, Advocate
Mr. Saikat Dey, Advocate
...for the petitioner.

Mr. Uday Sankar Bhattacharya, Advocate
Ms. Banani Bhattacharya, Advocate
... for the respondents.

The Court:- This is an application for appointment of an arbitrator under Section 11(6) of the Arbitration and Conciliation Act, 1996.

Mr. Nilanjan Bhattacharjee, learned senior advocate, submits that Clause 64 of the Standard General Conditions of Contract provide for reference of disputes to arbitration.

Mr. Uday Sankar Bhattacharya, learned advocate for the respondents, submits that the invocation is not proper and the notice under Section 21 of the Arbitration and Conciliation Act, 1996 has not been issued in the manner provided.

Considering the submissions of the parties and upon going through the notice invoking arbitration, it appears to the Court that the quantification of

the damages claimed, has not been made. The dispute has not been crystallized and as such, it is difficult for this Court to adjudicate whether the provisions of Clause 64 of the said Conditions would be applicable at this stage.

Under such circumstances, the application is dismissed with liberty to the petitioner to invoke the arbitration clause in accordance with law. The arbitrability of the dispute has not been decided at this stage.

(SHAMPA SARKAR, J.)

S. Kumar