

OCD 9

ORDER SHEET
AP-COM/853/2025
IN THE HIGH COURT AT CALCUTTA
ORDINARY ORIGINAL CIVIL JURISDICTION
COMMERCIAL DIVISION

KARTICK CHANDRA DHAR
VS
THE STATE OF WEST BENGAL AND ORS.

BEFORE:
The Hon'ble JUSTICE SHAMPA SARKAR
Date: 20th November, 2025.

Appearance:
Mr. Sukanta Das, Adv.
Mrs. Tutun Das, Adv.
...for the petitioner

Mr. Arindam Mandal, Adv.
Mr. Paritosh Sinha, Adv.
...for the State respondents

The Court:

1. Both the parties submit before this Court that the award passed by the learned sole arbitrator has been set aside in Misc. Arb (COM) 34 of 2022 by the learned Judge, Commercial Court at Alipore. The learned Judge found that the award was patently illegal, inasmuch as, the same did not disclose any reasons as to why the sum of Rs.7,67,81,140/- had been awarded. According to the learned Court, the award was held to be in contravention to the Section 31(3) of the Arbitration and Conciliation Act, 1996.

2. Under such circumstances, it is evident that the dispute between the parties will have to be decided in arbitration, in terms of the Clause 25 of the Item Rate Tender and Contract for Works.
3. Accordingly, the Court appoints Mr. Shatadru Chakraborty, learned Senior Advocate (Mob. No.9810209319), 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. AP-COM/853/2025 is, accordingly, disposed of.

(SHAMPA SARKAR, J.)