

OCD 14

ORDER SHEET
AP-COM/976/2025
IN THE HIGH COURT AT CALCUTTA
COMMERCIAL DIVISION
ORIGINAL SIDE

KEPRO INFRA LLP
VS
MOUSUMI MITRA

BEFORE:
The Hon'ble JUSTICE SHAMPA SARKAR
Date: 23rd December, 2025.

Appearance:
Mr. Ritoban Sarkar, Adv.
Mr. Sayan Banerjee, Adv.
...for the petitioner

Mr. Roshan Pathak, Adv.
Ms. Saheli Mukherjee, Adv.
...for the respondent

The Court:

1. The petitioner has approached this Court for appointment of an arbitrator. The petitioner is a registered partnership firm. The petitioner entered into a Limited Liability Partnership Agreement with the respondent. The said agreement contains an arbitration clause. Clause 38 of the agreement provides that disputes or differences arising between the parties with regard to the effect, interpretation or application of the agreement and rights, duties and liabilities arising therefrom, shall be referred to and be resolved by arbitration. The arbitration shall be conducted at Kolkata and language will be English.

The dispute arose when the respondent allegedly failed to comply with her obligation under the agreement.

2. Learned advocate for the respondent submits that the respondent was always ready and willing to comply with her part of the agreement, but the petitioner had denied her rights arising out of the said agreement.
3. Having heard the learned advocates for the respective parties, it appears that the parties had agreed to refer the dispute arising out of the agreement to arbitration. The notice invoking arbitration was invoked on August 2, 2025. The respondent replied to the said invocation on September 10, 2025, thereby, denying the claim of the petitioner. Under such circumstances, the application is allowed. The dispute is referred to arbitration. All questions are left open.
4. Accordingly, the Court appoints Mr. Sanjib Dawn, learned Advocate (Mob. No.9830023702), 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.
5. AP-COM/976/2025 is, accordingly, disposed of.

(SHAMPA SARKAR, J.)