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ORDER SHEET
IN THE HIGH COURT AT CALCUTTA
ORDINARY ORIGINAL CIVIL JURISDICTION
ORIGINAL SIDE

AP/20/2026

M/S PANCHANAN TRADING PVT LTD
VS
MR JAYDEEP MUKHERJEE

BEFORE:
The Hon'ble JUSTICE SHAMPA SARKAR
Date: 5th February, 2026.

Appearance:

Mr. S. Bhattacharyya, Adv.
Mr. Saptarshi Datta, Adv.
Ms. Sriparna Mitra, Adv.
Ms. Srinjita Ghosh, Adv.
Mr. P. K. Pal, Adv.
Mr. Debdtut Hore, Adv. ...for petitioner.

Mr. Pratip Mukherjee, Adv.
Mr. Rahul Agarwal, Adv.
Mr. Arpit Agarwal, Adv.
Mr. P. Biswas, Adv.
Mr. S. K. Shahil Warsi, Adv. ...for respondent.

The Court: The parties entered into a leave and license agreement on 6th January, 2025.

According to the petitioner, even after expiry of the period for which the license had been granted to the respondent, vacant possession was not handed over. The petitioner submits that the occupation of the respondent is unauthorised and, as such, the petitioner is entitled to occupational charges. In view of such dispute, a notice invoking arbitration was issued on 18th December, 2025.

The respondent submits that during the stay of the respondent at the premises in question, various breaches had been committed by the petitioner, owing to which the respondent has a claim in damages.

Having heard the respective parties, this court finds that there is a dispute. The leave and license agreement contains an arbitration clause.

Under such circumstances, Mr. Rahul Karmakar, learned Advocate is appointed as the Arbitrator to arbitrate upon the disputes between the parties.

The learned Arbitrator shall comply with the provisions of Section 12 of the Arbitration and Conciliation Act, 1996.

The learned Arbitrator shall be at liberty to fix his remuneration as per the schedule of Arbitration and Conciliation Act, 1996.

All questions as to arbitrability, jurisdiction, admissibility, limitation etc. are left open.

The application is disposed of accordingly.

(SHAMPA SARKAR, J.)

pkd.