

ORDER SHEET

IN THE HIGH COURT AT CALCUTTA
Ordinary Original Civil Jurisdiction
ORIGINAL SIDE

AP/44/2026

PERFECT CONSTRUCTION
VS
SUBHASIS PARBAT

BEFORE:

The Hon'ble JUSTICE GAURANG KANTH
Date : 12th May, 2026.

Appearance

*Mr. Ayan Banerjee, Adv.
Ms. Debjani Sengupta, Adv.
... for the petitioner*

*Mr. Anirban Saha Ray, Adv.
Mr. Aniruddha Saha Ray, Adv.
...for the respondent*

1. The Court: The petitioner has preferred the present application under Section 11(6) of the Arbitration and Conciliation Act, 1996 seeking appointment of a Sole Arbitrator to adjudicate the disputes which have arisen between the parties out of the Development Agreement dated 31st August, 2021.
2. At the outset, Learned Counsel appearing for the respective parties jointly submit that the parties have mutually agreed to the appointment of a Sole Arbitrator for adjudication of the disputes arising out of the said Development Agreement.
3. Learned Counsel for the parties have jointly proposed the name of Mr. Ayan Kumar Boral, Advocate, Bar No. 2, (Mob: 9830547806), for appointment as the learned Sole Arbitrator to adjudicate the disputes between the parties.

4. It is noted that the arbitration clause contained in the Development Agreement provides for appointment of two independent Arbitrators, one to be appointed by each of the parties, who in turn were to appoint an Umpire for adjudication of the disputes between the parties.

5. However, both the parties have, by mutual consent, agreed to waive the said procedure and have consented to the appointment of a Sole Arbitrator for adjudication of the disputes between them.

6. In view of the consensus arrived at between the parties, Mr. Ayan Kumar Boral, Advocate, Bar No. 2, (Mob: 9830547806), is appointed as the learned Sole Arbitrator to adjudicate the disputes between the parties arising out of the Development Agreement dated 31st August, 2021.

7. The learned Sole Arbitrator shall be entitled to fix his remuneration in accordance with the Fourth Schedule to the Arbitration and Conciliation Act, 1996, unless otherwise agreed by the parties.

8. The learned sole Arbitrator shall enter into referece subject to compliance with Section 12 of the Arbitration and Conciliation Act.

9. All questions, including those relating to limitation, maintainability of claims, jurisdiction, and merits, are expressly kept open to be decided by the learned Arbitral Tribunal.

10. A copy of this order shall be communicated to the learned sole Arbitrator to take necessary steps.

11. With the aforesaid directions, the present petition stands disposed of.

(GAURANG KANTH, J.)