

OCD-13

ORDER SHEET

IN THE HIGH COURT AT CALCUTTA
Commercial Division
ORIGINAL SIDE

AP-COM/300/2026

MACARAV INFRASTRUCTURES INDIA PRIVATE LIMITED
VS
BALMER LAWRIE AND CO. LTD.

BEFORE:

The Hon'ble JUSTICE GAURANG KANTH

Date : 15th May, 2026.

Appearance:

Mr. Snehashis Sen, Adv.

Mr. Abhishek Banerjee, Adv.

Mr. Adipta Kumar Pandit, Adv.

Mr. Debdatta Mukhopadhyay, Adv.

...for the petitioner

Mr. Bodhisatta Biswas, Adv.

...for the respondent

The Court: The petitioner has preferred the present petition under Section 11 of the Arbitration and Conciliation Act, seeking appointment of a Sole Arbitrator to adjudicate the disputes between the parties arising out of a work contract dated 12th August, 2024.

Learned counsel for the petitioner submits that pursuant to being declared the successful bidder, the respondent issued the work contract order to the respondent on 12th August, 2024, for execution of civil structural and allied work for temperature-controlled warehouse at Delhi Road, Serampore, West Bengal.

It is submitted that the execution of the work got delayed due to reason attributable to the respondent. The respondent had acknowledged

the delay and had agreed to extend the time for completion of the work till 28th August, 2026 and had called upon the petitioner to extend the bank guarantee till 31st August, 2026, in compliance thereof the petitioner had extended bank guarantee.

Learned counsel for the petitioner further submits that respondent had invoked the arbitral proceedings by issuing a notice under Section 21 of the Arbitration and Conciliation Act, dated 19th March, 2026.

Learned counsel for the parties do not dispute the agreement as well as the arbitration clause contained in the agreement, they mutually suggested the name of Mr. Anirban Ray, Senior Advocate (Mob: 9830076201) to be appointed as a Sole Arbitrator to adjudicate the disputes between the parties.

The learned Sole Arbitrator shall enter upon the reference after duly complying with Section 12 of the Arbitration and Conciliation Act.

The learned Sole Arbitrator shall be entitled to fix his remuneration in terms of the Fourth Schedule of the said Act.

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

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

(GAURANG KANTH, J.)