

ORDER SHEET
IN THE HIGH COURT AT CALCUTTA
COMMERCIAL DIVISION
ORIGINAL SIDE

AP-COM/313/2026

TATA CAPITAL LIMITED
VS
ROHIT AGARWAL

BEFORE:
The Hon'ble JUSTICE GAURANG KANTH
Date : 15th May, 2026.

Appearance:
Mr. Sayak Ranjan Ganguly, Adv.
Ms. Srijani Ghosh, Adv.
Ms. Kripa Kami, Adv.
...for the petitioner

The Court: Affidavit of service is taken on record.

Despite service, none appears for the respondent.

The petitioner has preferred the present petition under Section 11(6) of the Arbitration and Conciliation Act, 1996, seeking appointment of a sole Arbitrator to adjudicate the disputes between the parties.

Learned Counsel for the petitioner submits that the respondent had entered into an agreement for business loan and had availed the loan amount of Rs.30,00,000/- vide loan agreement dated 25.04.2024. The said loan was agreed to be repaid in monthly instalments. It is submitted that the respondent committed defaults in repayment of the said loan. In view thereof, the petitioner sent notice dated 25.11.2025 terminating the contract between the parties and called upon the respondent to clear the outstanding dues. The petitioner invoked the arbitration clause of the said loan agreement dated 25.04.2024 by issuing a notice under Section 21 of the

Arbitration and Conciliation Act, 1996 dated 12.02.2026. Despite receipt of the said notice, the respondent failed to liquidate the outstanding amount. Disputes between the parties have arisen out of the alleged default in repayment of the loan amount. The notice invoking the arbitration has been duly issued on 12.02.2026.

Prima facie, it appears that the disputes pertain to the terms of the loan agreement dated 25.04.2024, which contains an arbitration clause and is within the jurisdiction of this Court. Thus, this Court is satisfied that the present case is fit for reference to arbitration.

Accordingly, this Court appoints Ms. Pallavi Sengupta, Advocate (Mobile No. 9958131820) as the learned sole Arbitrator to adjudicate the disputes between the parties.

The appointment of the learned sole Arbitrator shall be subject to compliance with Section 12 of the Arbitration and Conciliation Act, 1996.

The learned sole Arbitrator shall be entitled to fix the remuneration in accordance with the Fourth Schedule of the Act.

A copy of this order shall be communicated by the petitioner to the learned sole Arbitrator for necessary action.

All issues regarding arbitrability of the disputes, admissibility of the claim, limitation or any other issues are kept open to be urged before the learned sole Arbitrator.

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

(GAURANG KANTH, J.)