
(2017) 07 CAL CK 0053
In the Calcutta High Court
Case No : 218 of 2015

JOY MAA SANTOSHI SAW MILL

APPELLANT

Vs

HINDUSTAN CABLES LIMITED

RESPONDENT

Date of Decision : 20-07-2017

Acts Referred:

Citation : (2017) 07 CAL CK 0053

Hon'ble Judges : I. P. Mukerji

Bench : SINGLE BENCH

Advocate : Pratip Mukherjee

Final Decision : Disposed off

Judgement

1. Thrice Arbitrators have been changed in this matter. All three were departmental arbitrators. Replacement had to be made because of their inability to act for some reason or the other.
2. The present Arbitrator, Mr. Sudip Sengupta, was appointed on 29th June, 2016.
3. Learned counsel for the petitioner submits that not a single sitting has been held since 29th June, 2016.
4. An affidavit of service is on record. None appears for the respondent.
5. This state of affairs cannot be tolerated. The mandate of the Arbitrator, Mr. Sudip Sengupta is terminated.
6. The Hon''ble Mr. Justice Prabhat Kumar Dey, a retired Judge of this Hon''ble High Court, is appointed as Arbitrator in his place and stead at a

remuneration

of Rs.20,000/- per sitting, to be shared by the parties equally.

7. The learned Arbitrator will be at liberty to appoint a clerk and a stenographer whose remuneration and the other costs and charges of the arbitration will

be borne by the parties in equal share.

8. His Lordship will adjudicate the disputes as mentioned in the Section 11 application (AP No.529 of 2017) along with any other dispute that may arise between the

parties from the statement of claim, counter-statement and counter-claim, if any, to be

filed as per the direction of the his Lordship.

9. His Lordship is most humbly requested to enter upon the reference as soon as possible and to make and publish the award within one year of communication of this

order.

10. This application is disposed of.