OCD-7

ORDER SHEET

IN THE HIGH COURT AT CALCUTTA
COMMERCIAL DIVISION
ORIGINAL SIDE

AP-COM/193/2026

MS MANIK DUTTA
VS
SIMPLEX INFRASTRUCTURES LIMITED

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

Appearance:
Mr. Somnath Saha, Adv.
...for the petitioner

Mr. Abhishek Banerjee, Adv.
Mr. Debdatta Mukhopadhyay, Adv.
...for the respondent

The Court: The petitioner has preferred the present petition under Section 11(6) read with Sections 14 and 15 of the Arbitration and Conciliation Act, 1996, seeking appointment of a substitute Arbitrator.

Learned Counsel for the petitioner submits that this Court vide order dated 08.10.2024 passed in AP-COM/828/2024 had appointed Mr. Suddhasatva Banerjee, a member of the Bar Library Club, as the sole Arbitrator to adjudicate the disputes between the parties.

Learned Counsel for the petitioner further submits that the parties have already completed their respective pleadings before the learned Arbitrator. He further states that the respondent had filed an application under Section 16 of the Act before the learned Arbitrator. He further states that the arguments were completed on the Section 16 application on

15.09.2025 and the hearing stood concluded. The proceedings, thereafter, remained inconclusive.

The petitioner has drawn the attention of this Court to a letter dated 09.10.2026 which is taken on record, wherein the learned Arbitrator has expressed his inability to proceed with the Arbitral Tribunal. He has recused himself from the said proceedings.

In view of the said recusal, this Court terminates the mandate of the learned Arbitrator and, with the consent of the parties, appoints Ms. Amrita Pandey, Advocate (Mobile No. 9432820002) as the substitute Arbitrator to adjudicate the disputes which have arisen between the parties.

The learned substituted Arbitrator shall assume charge of the arbitral proceedings and continue the same from the stage at which they stood immediately prior to such termination.

The learned Sole Arbitrator shall enter upon the reference after making the disclosure in terms of Section 12(1) of the Act and subject to the provisions of Section 12(5) thereof.

The learned sole Arbitrator shall be entitled to fix the remuneration in accordance with the Fourth Schedule of the Act or as may be mutually agreed between the parties.

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

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

(GAURANG KANTH, J.)

R.Bhar