OC- 20

ORDER SHEET

IN THE HIGH COURT AT CALCUTTA
COMMERCIAL DIVISION
ORIGINAL SIDE

AP-COM/801/2026
GANNON DUNKERLEY AND CO LIMITED
VS
PUBLIC HEALTH AND ENGINEERING DEPARTMENT
GOVERNMENT OF WEST BENGAL

BEFORE:
The Hon'ble JUSTICE GAURANG KANTH
Date : 5th October, 2026.

Appearance:-
Mrs. Sweta Gandhi, Adv.
...for petitioner.

Mr. Sourav Ghosh, Adv.
Mr. Abhishek Banerjee, Adv.
...for respondent.

The Court: - The petitioner has preferred the present petition under Section 11(6) read with Section 15(2) of the Arbitration and Conciliation Act, 1996, seeking termination of the mandate of the sole Arbitrator appointed vide order dated 3rd March, 2025.

Learned counsel for the petitioner submits that this Court vide the said order had appointed Mr. Anuj Singh, Advocate (your Lordship then was) as a sole Arbitrator. It is submitted that subsequent to the said appointment, Mr. Anuj Singh has been elevated as a Judge of this Court and is presently discharging judicial functions. Consequently, he has become *de-jure* unable to continue as an Arbitrator.

In view of the aforesaid supervening circumstances, the mandate of Mr. Anuj Singh, the learned sole Arbitrator (your Lordship then was) is hereby terminated under Section 14(1) of the Arbitration and Conciliation Act, 1996.

The pleadings were completed and counter claim was filed by the respondent and issues were framed on 9th December, 2025.

In exercise of the power under Section 15(2) of the said Act, Ms. Shruti Swaika (Advocate) (Mobile No: 9874599420) is appointed as a sole Arbitrator to adjudicate the disputes between the parties.

The Arbitral Tribunal shall proceed with the reference from the stage at which the proceedings stood immediately prior to the termination of the mandate of Mr. Anuj Singh (your Lordship then was).

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

The learned Sole Arbitrator shall fix her remuneration in terms of the Fourth Schedule of the Act or as may be 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. D. Barua