

IN THE HIGH COURT AT CALCUTTA
[CIRCUIT BENCH AT PORT BLAIR]

AP/3/2026

M/s RDS Project Limited

Vs.

The Union of India and others

Ms. Anjili Nag, Sr. Adv.

Ms. Sohini Biswas

... for the petitioner

Mr. V.D.Sivabalan

... for the respondents

July 27, 2026
[SR]
Item No.28

1. AP/3/2026 is an application filed under section 11 of the Arbitration and Conciliation Act, 1996. Disputes and differences have arisen in connection with an agreement in connection with a tender awarded to the petitioner for "Restoration of damaged breakwater at Hut Bay in Little Andaman" being agreement No.EEM/LA/DB/Agt-66/200809 dated 24.11.2008.
2. The respondents have filed affidavit-in-opposition claiming that the claim is hopelessly barred by limitation.
3. This Court is of the view that the bar of limitation raised by the respondent may be dealt with by the Arbitral Tribunal.
4. This Court therefore appoints Shri Debasish Kar Gupta, (9836268252) a Former Chief Justice of the High Court at Calcutta as a Sole Arbitrator to enter upon the reference and decide all questions including limitation of the claim made by the claimant against the respondent.
5. The arbitration shall be conducted in terms of the Act of 1996 and the Rules framed thereunder. The fees of the arbitrator shall be governed by the Act of 1996 and the said Rules.

6. With the aforesaid observation, AP/3/2026 stands disposed of.

7. The parties shall communicate a copy of this order to the learned Arbitrator.

8. All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)