

IN THE HIGH COURT AT CALCUTTA
ORDINARY ORIGINAL CIVIL JURISDICTION
ORIGINAL SIDE

AP-COM/674/2025
K AND K MINERALS PVT. LTD.
VS
RITES LTD. AND ORS.

BEFORE:

The Hon'ble JUSTICE SHAMPA SARKAR

Date : 15th September, 2025

Appearance :-

Mr. Anal Kr. Ghosh, Adv.

Ms. Neelina Chatterjee, Adv.

Ms. Ahana Bhattacharyya, Adv. ...for petitioner.

Mr. Deepan Sarkar, Adv.

Mr. Prasun Mukherjee, Adv.

Mr. Deepak Agarwal, Adv. ...for DVC.

Mr. A.K. Awasthi, Adv.

Mr. Surpiyo Gole, Adv. ...for respondent nos.1&2.

The Court :- The petitioner prays for reference of the dispute to arbitration. Respondents oppose such prayer on the ground that the remedy of the petitioner will not be in an arbitration proceeding. It is submitted that the correction slip no.3 which is a part of the GCC will be applicable and claims beyond Rs.2 crores cannot be settled in arbitration.

The learned Advocate appearing for the respondents pray for an opportunity to file a short affidavit to enclose the tender document and the related documents in support of such contention.

Let such affidavit be filed within two weeks after the ensuing puja vacation; reply thereto, if any, be filed within a week thereafter. Let the matter be listed on 17th November, 2025.

(SHAMPA SARKAR, J.)