

Dispute Resolution Hotline

July 06, 2020

INDIA—PARTIES CANNOT APPLY TO COURTS AFTER EMERGENCY ARBITRATION (ASHWANI MINDA V U-SHIN)

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SUMMARY

The Delhi High Court found a petition for interim reliefs under section 9 of the Arbitration and Conciliation Act 1996 (ACA 1996), filed after the party had unsuccessfully applied for reliefs in an Emergency Arbitration in Japan, was not maintainable on multiple grounds. This ruling, while highlighting the growing importance of emergency arbitration, also finds that the parties had by agreement excluded the applicability of ACA 1996, s 9, which raises certain questions. Vyapak Desai, head of the International Dispute Resolution and Investigations at Nishith Desai Associates and Ashish Kabra, leader, Singapore office of Nishith Desai Associates discuss this decision.

For the complete article, please click [here](#).

— Ashish Kabra & Vyapak Desai

You can direct your queries or comments to the authors

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