

Dispute Resolution Hotline

September 23, 2019

INDIA-TIME LIMITS TO COMPLETE ARBITRATION PROCEEDINGS (JAYESH PANDYA V SUBHTEX)

This article was originally published in *Lexis®PSL Arbitration* on 16th September 2019

SUMMARY:

Recently, the Supreme Court of India in *Jayesh Pandya & Anr. v. Subhtex India Limited* held that mandate of an Arbitrator terminated if they fail to act without undue delay as per the provisions of the Arbitration Act. The Supreme Court relied on the contractual provisions and relegated the parties back in time to the initiation of their dispute. This ruling has once again brought to the fore the discussion that in case of prescribed time-lines under the agreement, decisions rendered beyond the time-period as bad in law. A n arbitrator has no power to further extend the time beyond that which is fixed in the agreement, without the consent of the parties to the dispute.

Payel Chatterjee and Sahil Kanuga of the International Dispute Resolution and Investigations Practice at Nishith Desai Associates consider this decision and its implications.

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

– Payel Chatterjee & Sahil Kanuga

You can direct your queries or comments to the authors

DISCLAIMER

The contents of this hotline should not be construed as legal opinion. View detailed disclaimer.

This Hotline provides general information existing at the time of preparation. The Hotline is intended as a news update and Nishith Desai Associates neither assumes nor accepts any responsibility for any loss arising to any person acting or refraining from acting as a result of any material contained in this Hotline. It is recommended that professional advice be taken based on the specific facts and circumstances. This Hotline does not substitute the need to refer to the original pronouncements.

This is not a Spam mail. You have received this mail because you have either requested for it or someone must have suggested your name. Since India has no anti-spamming law, we refer to the US directive, which states that a mail cannot be considered Spam if it contains the sender's contact information, which this mail does. In case this mail doesn't concern you, please unsubscribe from mailing list.

Research Papers

Taxing Offshore Indirect Transfers in India

February 28, 2025

Unlocking Corporate Philanthropy

February 27, 2025

Digital Health in India

February 26, 2025

Research Articles

Re-Evaluating Press Note 3 Of 2020: Should India's Land Borders Still Define Foreign Investment Boundaries?

February 04, 2025

INDIA 2025: The Emerging Powerhouse for Private Equity and M&A Deals

January 15, 2025

Key changes to Model Concession Agreements in the Road Sector

January 03, 2025

Audio

CCI's Deal Value Test

February 22, 2025

Securities Market Regulator's Continued Quest Against "Unfiltered" Financial Advice

December 18, 2024

Digital Lending - Part 1 - What's New with NBFC P2Ps

November 19, 2024

NDA Connect

Connect with us at events, conferences and seminars.

NDA Hotline

Click here to view Hotline archives.

Video

Arbitration Amendment Bill 2024: A Few Suggestions | Legally Speaking With Tarun Nangia | NewsX

February 12, 2025

**What India’s Transition to New Data
Protection Law Means for Global
Businesses**

January 23, 2025

**India 2025: The Emerging
Powerhouse for Private Equity and
M&A Deals**

January 16, 2025
