

Dispute Resolution Hotline

October 22, 2024

ARBITRABILITY OF DISPUTES ARISING POST DISCHARGE OF CONTRACT BY ACCORD & SATISFACTION

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The Indian Supreme Court ("SC") has affirmed the limited scope of pre-referral jurisdiction of courts in an application for appointment of an arbitrator. Such jurisdiction does not extend to an examination of whether a contract has been discharged by "accord and satisfaction". While the court may consider whether the application under Section 11 has been filed within the limitation period, it must not delve into the issue of whether underlying claims are time barred.

Please click [here](#) for our detailed article.

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You can direct your queries or comments to the relevant member.

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