

## Dispute Resolution Hotline

February 11, 2025

### LIMITS UNDER ARTICLES 226 AND 227: SUPREME COURT'S DICTUM ON HIGH COURTS' JURISDICTION OVER ARBITRAL ORDERS

This article was first published in [www.lexology.com](https://www.lexology.com) (February, 06, 2025).



The Arbitration and Conciliation Act, 1996 ("**A&C Act**") does not specify remedies to parties before courts, against procedural orders of the arbitral tribunal. In certain cases, aggrieved parties have invoked High Courts' writ and supervisory jurisdiction under Articles 226 and 227 of the Constitution of India. However, this has often led to a debate between arbitral autonomy and judicial intervention.

Recently, the Supreme Court of India, in *Serosoft Solutions Pvt. Ltd. v. Dexter Capital Advisors Pvt. Ltd.*,<sup>[i]</sup> ruled on the applicable standard for interference by High Courts in a petition under Article 227 of the Constitution. While allowing the appeal against the High Court's order, the Supreme Court held that High Courts may interfere with an order of an arbitral tribunal only if such an order is ex-facie perverse.

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

#### Authors

- [Shruti Dhonde](#), [Shweta Sahu](#) and [Arjun Gupta](#)

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

#### 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

### Medical Device Industry in India

April 28, 2025

### Clinical Trials and Biomedical Research in India

April 22, 2025

### Structuring Platform Investments in India For Foreign Investors

March 31, 2025

## Research Articles

### 2025 Watchlist: Life Sciences Sector India

April 04, 2025

### 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

## 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

Vyapak Desai speaking on the danger of deepfakes | Legally Speaking with Tarun Nangia | NewsX

April 01, 2025

**Vaibhav Parikh, Partner, Nishith  
Desai Associate on Tech, M&A, and  
Ease of Doing Business**

March 19, 2025

**SIAC 2025 Rules: Key changes &  
Implications**

February 18, 2025

---