

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. An 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

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