

# Arbitration Act (Act no. X of 1940).

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Description: -

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## Section 8 of Arbitration and Conciliation ACT

He further submitted that this question was not decided in the order passed in the Section 11 Petition, wherein the Court merely recorded that this is a fit case for making a reference under Section 11 5 of the Arbitration Act. I stating therein that award was not filed.

## arbitration and conciliation act Archives

. A direct effect of the decision was that Indian Courts would have first to determine whether they have jurisdiction in the International sense. According to the learned counsel for the Petitioners, the said conclusion is patently illegal.

## The Superintending Engineer (Highways), Madurai & Others v. S. Jayamani & Another

After invoking the arbitration clause on 21. Upon examining these provisions of law, the Court held that the Stamp Act is a fiscal law enacted to secure revenue for the State on certain classes of instruments. He allowed interest at the rate of 16% from July, 1984 from the pre-reference period till realisation of their money — was he competent to allow interest in such a manner? So far as the question of blacklisting is concerned, an error was committed by the High Court in opining that the Respondent-Firm had been blacklisted without issuing any notice.

## THE ARBITRATION ACT 1940 CHAPTER III ARBITRATION WITH INTERVENTION OF A COURT WHERE THERE IS NO SUIT PENDING India Bareacts

Section 8 — Appointment of Umpire Appointment of umpire beyond time by I the Court on failure of the parties to I appoint umpire when the arbitrators could I not arrive at an agreed decision is not illegal. Steel Authority of India Ltd. The learned Subordinate Judge committed a patent illegality in recording the finding that the Arbitration proceeding was required to be held in Dhaka and the appellant initiated the proceeding in the United States of America with mala fide intention.

## Arbitration Act 1940, Indian Bare Acts, Law Library

It also repealed the Arbitration and Conciliation Third Ordinance 1996, which was in promulgation before the Act came into force.

## **Emergence of New Era in Arbitration**

Notwithstanding anything contained elsewhere in this Act or in any other law for the time being in force, where in any reference any application under this Act has been made in a Court competent to entertain it, that Court alone shall have jurisdiction over the arbitration proceedings and all subsequent applications arising out of that reference and the arbitration proceedings shall be made in that Court and in no other Court. Grounds for setting aside award 31.

## **THE ARBITRATION ACT 1940 CHAPTER III ARBITRATION WITH INTERVENTION OF A COURT WHERE THERE IS NO SUIT PENDING India Bareacts**

Reference to arbitration by some of the parties: Where some only of the parties to a suit apply to have the matters in difference between them referred to arbitration in accordance with, and in the manner provided by, Section 21, the Court may, if it thinks fit, so refer such matters to arbitration provided that the same can be separated from the rest of the subject-matter of the suit in the manner provided in that section, but the suit shall continue so far as it relates to the parties who have not joined in the said application and to matters not contained in the said reference as if no such application had been made, and an award made in pursuance of such a reference shall be binding only on the parties who have joined in the application. Persons accessing this site are encouraged to seek independent counsel for advice in India abroad regarding their individual legal, civil criminal issues or consult one of the experts online.

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