

## Dispute Resolution Hotline

July 06, 2020

**INDIA—PARTIES CANNOT APPLY TO COURTS AFTER EMERGENCY ARBITRATION (ASHWANI MINDA V U-SHIN)**

This article was originally published in the 17<sup>th</sup> June 2020 edition of



### SUMMARY

The Delhi High Court found a petition for interim reliefs under section 9 of the Arbitration and Conciliation Act 1996 (ACA 1996), filed after the party had unsuccessfully applied for reliefs in an Emergency Arbitration in Japan, was not maintainable on multiple grounds. This ruling, while highlighting the growing importance of emergency arbitration, also finds that the parties had by agreement excluded the applicability of ACA 1996, s 9, which raises certain questions. Vyapak Desai, head of the International Dispute Resolution and Investigations at Nishith Desai Associates and Ashish Kabra, leader, Singapore office of Nishith Desai Associates discuss this decision.

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

— Ashish Kabra & Vyapak Desai

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

**Little International Guide (India) 2024**

November 08, 2024

**Unmasking Deepfakes**

October 25, 2024

**Are we ready for Designer Babies**

October 24, 2024

## Research Articles

**The Bitcoin Effect**

November 14, 2024

**Acquirers Beware: Indian Merger Control Regime Revamped!**

September 15, 2024

**Navigating the Boom: Rise of M&A in Healthcare**

August 23, 2024

## Audio

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

November 19, 2024

**Renewable Roadmap: Budget 2024 and Beyond - Part I**

August 26, 2024

**Renewable Roadmap: Budget 2024 and Beyond - Part II**

August 26, 2024

## NDA Connect

Connect with us at events, conferences and seminars.

## NDA Hotline

[Click here to view Hotline archives.](#)

## Video

**"Investment return is not enough" Nishith Desai with Nikunj Dalmia (ET Now) at FI8 event in Riyadh**

October 31, 2024

**Analysing SEBI's Consultation Paper on Simplification of registration for FPIs**

September 26, 2024

