

Dispute Resolution Hotline

September 28, 2021

INDIAN SUPREME COURT RULES ON THE ENFORCEMENT OF FOREIGN AWARD AGAINST NON-SIGNATORIES (GEMINI BAY V INTEGRATED SALES)

This article was originally published in the 25th August 2021 edition of



SUMMARY

The Supreme Court of India refused to interfere with an award issued by a sole arbitrator in an arbitration seated in the USA, holding that a foreign award could be enforced against non-signatories to the arbitration agreement under the Arbitration and Conciliation Act, 1996 ("Act"). The Supreme Court also narrowed down the scope of resistance under section 48 of the Act (akin to Article V of the New York Convention) by award-debtors to the enforcement of a foreign award. The judgment is consistent with the pro-arbitration approach taken by Indian courts in the last decade. Written by Adimesh Lochan, Alipak Banerjee, Sahil Kanuga and Vyapak Desai, Members of the International Dispute Resolution and Investigations Practice, Nishith Desai Associates.

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

— Adimesh Lochan, Alipak Banerjee, Sahil Kanuga & 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

The Tour d'Horizon of Data Law Implications of Digital Twins

May 29, 2025

Global Capability Centers

May 27, 2025

Fintech

May 05, 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

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

February 18, 2025

