

Section 34 of Arbitration and Conciliation Act, 1996

By: Aditi Sawant

Section 34

Section 34 of the Arbitration and Conciliation Act of 1996 specifies grounds for challenging an arbitral award rendered under Section 31. However, the challenge to an award under Section 34 is subject to certain limitations, such as the fact that it may only be contested within three months of receiving the award, which can be extended for another 30 days.

In *Municipal Corp. of Greater Mumbai v. Prestress Products (India)* (2003), the court held that the new Act (1996) was enacted with the explicit Parliamentary goal of limiting judicial participation and by which the scope of a prospective challenge to an award is greatly reduced under Section 34.

What is an Arbitral Award

An arbitral award is a decision made by an arbitration tribunal in an arbitration proceeding that is believed to be equivalent to a court of law's judgment concerning certain exceptions. The award may provide the parties with a number of remedies, including money, consent, injunctions, and other remedies. Depending on the nature of the dispute, the award may be interim, partial, or final.

Arbitration Act 1996 An Annotated Guide

Stefan N. Frommel



Arbitration Act 1996 An Annotated Guide:

Arbitration Act 1996 Robert Merkin, 2000 The first edition of this guide explained the considerations which led to the passing of the Act and detailed its intentions and provisions Since then the Civil Procedure Rules came into force in April 1999 This edition provides a clear and comprehensive review of the Act since 1996 **International Commercial**

Arbitration: Commentary and Materials Gary Born, 2021-11-15 International Commercial Arbitration contains detailed commentary case analyses and practice pointers Full annotations and footnotes provide invaluable research assistance while clearly written analyses identify and discuss critical issues Representative international arbitral awards and national court decisions are excerpted and detailed reference is made to leading institutional rules Detailed appendices an easy to use Table of Contents and an extensive index to aid research and provide ready access to key materials Co publication with Kluwer Law International North American sales rights only Published under the Transnational Publishers imprint For class adoption a student edition is available for 85 00 978 1 5710 5175 2 Please contact the Brill sales department to arrange an order

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Risk Management Aleka Mandaraka-Sheppard,2014-02-04 Modern Maritime Law and Risk Management provides comprehensive coverage of contemporary international admiralty and maritime law in an easily accessible style It brings together substantive law jurisdictional issues and international aspects of maritime liabilities and compensation with a practical discussion of modern risk management The book is an essential guide for marine lawyers worldwide students shipowners ship managers salvors shipbrokers mortgagees P Substantive Law International Conventions and Safety at Sea

A Practical Guide to International Commercial Arbitration Richard Garnett,2000 This concise in depth guide explores the pros and cons of arbitration the role of national laws key elements of the arbitration agreement and includes a detailed analysis of arbitration procedures Standards of conduct of the arbitrator enforceability challenges modification of awards and awards and remedies are covered The Appendices include BL UNCITRAL Arbitration Rules BL Arbitration Rules of the International Chamber of Commerce BL The UNCITRAL Model Law on International Commercial Arbitration BL Texts of the New York and Panama Conventions BL Model UNCITRAL and ICC arbitration clauses BL Information about the major arbitral centers throughout the world

Marine Insurance Legislation Robert Merkin,2000 This text forms part of the Essential Law Series a range of guides providing the practitioner with sources on key international Maritime and Commercial Law Conventions This is a reference to all aspects of marine insurance legislation based on the provisions of the Marine Insurance Act 1906

International Investment Dispute Awards Esra Yıldız Üstün,2022-04-19 This book examines how international investment arbitral awards can be facilitated It sets out to achieve a fuller conceptualisation and theorisation of awards through a discussion of relevant issues and themes as well as demonstrating how they can be achieved through a comparative approach that has been conceived and developed with reference to existing deficiencies in the research literature This contribution is particularly important given the worldwide emergence of investment arbitration as a powerful form of alternative dispute resolution ADR The book ultimately seeks to explore and develop solutions that can be directed to an existing oversight and deficit within the international investment architecture In considering the advantages and disadvantages of each solution it will work towards an approach best suited to upholding the interest of the victorious party at the enforcement stage The enforcement of arbitral awards on a voluntary basis has proven to be insufficient and this created a real and ongoing shortcoming that needs to be addressed International Investment Dispute Awards Facilitating Enforcement therefore seeks to directly influence existing practice on the part of international institutions with the intention of helping to develop a more effective resolution The readerships for this book will include arbitration practitioners policy makers including treaty drafters academics and postgraduate students interested in the enforcement of investment arbitral awards

Goode and McKendrick on Commercial Law Roy Goode,Ewan McKendrick,2021-03-25 The sixth edition of the authoritative and acclaimed commercial law text A great book will be equally useful to legal practitioners students and business people Financial Times This sixth edition of Goode on Commercial Law now retitled Goode and McKendrick on

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Arbitration Law Monthly ,2001 Guide to the Arbitration Act 1996 Richard Lord,Simon Salzedo,1996 This book is the essential reference work for practitioners and academics who need to understand the Arbitration Act 1996 Each section of the Act has been considered and detailed notes are included of relevant decisions of the courts Particular care has been taken to explain the sometimes complex relationship between the new law and the old rules it replaces way The replaced Arbitration Acts of 1950 1975 and 1979 are included as appendices for ease of reference as well as the New York Convention on the Recognition of Foreign Arbitral Awards and the UNCITRAL Model Law on International Commercial Arbitration

Conflicting Legal Cultures in Commercial Arbitration:Old Issues and New Trends Stefan N. Frommel,1999-09-22 The great strength of the arbitration process lies in its independence from any particular legal culture Inevitably its cross cultural perspective has brought it to the fore as the preferred means of resolving international commercial disputes The Institute of Advanced Legal Studies in London has done more than any other group to promote and sustain the development of international arbitration and to define the law and practice that has grown up around it In a series of remarkable public lectures held during its jubilee year the Institute reasserted its preeminent and creative role in the field of alternative dispute resolution at the international level These lectures form the basis of the insightful papers assembled in this book The nine authors bring a truly international perspective to their work Their combined experience has involved them in arbitration in many countries in Europe Asia North America and South America several of them have in

addition had various posts in international diplomacy and in major international organisations They include Dr Christian Borris on the civil law versus common law in arbitration culture Professor Andreas F Lowenfeld on the mix that creates the international arbitration process Dr Serge Lazareff on the search for a common procedural approach Sigvard Jarvin who compares the leading international arbitration seats Jonathon Crook on arbitration seats in the Far East Ambassador Malcolm R Wilkey on the practicalities of cross cultural arbitration Jean Reed Haynes on the confidentiality of international arbitration Dr Horacio A Grigera Naand n on Latin American arbitration Culture and Dr Bernardo M Cremades on how interactive arbitration overcomes the clash of legal cultures *Conflicting Legal Cultures in Commercial Arbitration* brings international arbitration as it is currently practised into sharp focus and will be of great value to all practitioners academics and students in the field

Non-Judicial Dispute Settlement in International Financial Transactions Norbert Horn, Joseph Jude Norton, 2000-11-08 Whereas arbitration and non judicial dispute settlement mechanisms are of growing importance in international economic transactions their present and future role in financial transactions is not yet fully explored This timely publication aims to fill this gap in the literature and includes analyses of bank remedies direct negotiation and mediation in financial and business conflicts debt renegotiations restructuring of syndicated loans arbitration in project financing and the roles of the ICC NAFTA and OAS Some of the expert papers focus in particular on the role of arbitration and dispute resolution in Latin America Greater China and Russia *Non Judicial Dispute Settlement in International Financial Transactions* is based on the edited and revised papers of an international conference part of a global series of conferences held in 1999 on the New International Financial Architecture organised by the Law Centre of European and International Cooperation R I Z Cologne the Centre for Commercial Law Studies London the Asian Institute of International Financial Law Hong Kong and the SMU Institute of International Banking and Finance Dallas

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Journal of International Arbitration ,1997 **ICSID Review** ,2000 *Dispute Resolution Journal* ,1997

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