

The Role of Indian Courts in Shaping the Arbitration Jurisprudence: Critical Analysis

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Abstract: *This study critically examines the role of Indian courts in shaping arbitration jurisprudence under the Arbitration and Conciliation Act, 1996, aiming to analyze how judicial interpretations and enforcement mechanisms influence the effectiveness and credibility of arbitration in India. Employing a document analysis methodology, the research systematically reviews legislative provisions, landmark Supreme Court decisions, scholarly articles, and institutional reports to evaluate the courts' impact on arbitration practices. The findings reveal that Indian courts play a decisive role in upholding party autonomy, ensuring enforceability of arbitration agreements, and limiting judicial intervention demonstrate a progressive alignment of domestic arbitration practices with international standards, while also addressing gaps in procedural efficiency and the treatment of non-signatories. In conclusion, the study underscores that Indian courts have been instrumental in fostering a pro-arbitration legal environment, strengthening the arbitration framework, and promoting India as a credible hub for domestic and international dispute resolution.*

Keywords: Indian courts, Arbitration and Conciliation Act 1996, Arbitration Jurisprudence, Judicial Intervention, Party Autonomy, Enforceability of Awards, Landmark Judgments, International Arbitration Standards

