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A NEW DOCTRINE OF JUDICIAL INTERVENTION: DEFINING THE LIMITS OF MODIFICATION IN INDIAN ARBITRATION LAW

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Abstract

The Supreme Court of India, in its landmark 4:1 majority judgment in *Gayatri Balasamy v. M/s. ISG Novasoft Technologies Limited*, has brought a definitive resolution to a long-standing legal debate concerning the scope of a court's power to intervene in arbitral awards. While some interpretations might suggest the Court issued an unequivocal prohibition on judicial modification, a meticulous examination of the ruling reveals a far more nuanced position. The Court explicitly held that courts possess a **limited power to modify** arbitral awards under Sections 34 and 37 of the Arbitration and Conciliation Act, 1996 (A&C Act).[1] This is a crucial distinction that corrects a fundamental misunderstanding of the judgment. The ruling does not sanction a broad, merits-based review but rather confines the power of modification to specific, non-substantive circumstances, such as the correction of computational, clerical, or typographical errors, and the severance of invalid portions of an award.[1] This paper provides a detailed analysis of this landmark judgment, situating it within the broader history of Indian arbitration law and comparing it with the legal frameworks of leading global jurisdictions. By clarifying the narrow scope of judicial intervention, the Supreme Court has effectively reinforced the principles of party autonomy and the finality of arbitral awards, solidifying the judiciary's role as a supervisor of the arbitral process rather than a supplanter of the arbitrator's decision-making authority.

I. Introduction

The resolution of commercial disputes through arbitration has gained significant traction globally, lauded for its principles of party autonomy, efficiency, and finality. For a jurisdiction to be a favorable seat for arbitration, its legal framework must embody a clear policy of minimal judicial intervention. In this context, the Supreme Court of India's recent landmark 4:1 majority judgment in *Gayatri Balasamy v. M/s. ISG Novasoft Technologies Limited* is a watershed moment for the country's arbitration jurisprudence.[1] The ruling definitively resolves a decades-

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long legal debate concerning whether a court, when exercising its power to set aside an arbitral award under the Arbitration and Conciliation Act, 1996 (A&C Act), also has the inherent power to modify it.[4]

This paper argues that the *Gayatri Balasamy* judgment is not merely a restatement of a past principle but a sophisticated refinement of India's pro-arbitration stance. The ruling provides a crucial jurisprudential nuance: it permits a **limited power of modification** for courts under specific, non-substantive circumstances, such as the correction of computational, clerical, or typographical errors, and the severance of invalid portions of an award, while unequivocally rejecting any form of appellate review on the merits.[1]

To fully appreciate the significance of this decision, this paper will first trace the history of judicial intervention in Indian arbitration, from the era of conflicting precedents to the pivotal, yet paradoxical, ruling in *M. Hakeem*. It will then conduct an in-depth analysis of the *Gayatri Balasamy* judgment itself, dissecting the majority and dissenting opinions to illuminate the precise contours of the newly affirmed limited power. Finally, the study will provide a comparative analysis of the legal frameworks in the United States, the United Kingdom, and Singapore to demonstrate how India's legal position now aligns with the global consensus of minimal curial intervention, thereby enhancing its appeal as a reliable seat for dispute resolution.

II. The Indian Arbitration Landscape: From Conflicting Currents to a Clear Stream

A. The Pre-Hakeem Era: A Sea of Conflicting Jurisprudence

For years, the Indian legal landscape was characterized by a jurisprudential ambiguity regarding a court's power to modify an arbitral award. Differing judicial opinions from various High Courts and even conflicting Supreme Court decisions created significant uncertainty for litigants and legal practitioners, undermining the very purpose of arbitration as an expeditious alternative to litigation.[5] The procedural history of the *Gayatri Balasamy* case itself serves as a stark illustration of this confusion.

The dispute began as an employment matter, with an arbitral tribunal awarding the employee, Gayatri Balasamy, a sum of ₹2 crore. Dissatisfied with the outcome, Balasamy challenged the

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award in the Madras High Court under Section 34 of the A&C Act.[7] A single-judge bench of the High Court took the unprecedented step of modifying the award, granting an additional ₹1.6 crore. Subsequently, a Division Bench of the same High Court intervened again, deeming the previous amount "excessive and onerous" and reducing the additional compensation to ₹50,000, arguing it lacked "arithmetic logic." This series of events, where courts substantively altered the award on the merits of compensation, exemplified the very judicial overreach that the A&C Act, with its emphasis on minimal intervention, was designed to prevent.[4]

These instances of judicial overreach were not isolated. The Supreme Court itself, on limited occasions, had invoked its constitutional powers to re-examine the merits of arbitral awards in commercial disputes that had already been upheld at multiple judicial stages, as seen in cases involving the Delhi Airport Metro Express. This trend of judicial activism, which at times extended to areas like film censorship and the sale of liquor, created a climate of unpredictability that was antithetical to the principles of a robust arbitration framework.[5] The inconsistent judicial application of the law highlighted the urgent need for a definitive pronouncement from a larger bench of the Supreme Court to settle this vexed issue once and for all.[3]

B. The Precedential Weight of *Project Director NHAI v. M. Hakeem*

Against this backdrop of conflicting jurisprudence, the Supreme Court sought to provide clarity with its 2021 judgment in *The Project Director National Highways v. M. Hakeem*.[9] The case involved appeals concerning land acquisition under the National Highways Act, where compensation was determined by a government-appointed arbitrator, a form of non-consensual arbitration.[9] The compensation amounts were initially extremely low, in some instances ranging from ₹46.55 to ₹83.15 per square meter, prompting the District Court and High Court to intervene and modify the awards to a higher, fairer market value of ₹645 per square meter.

A two-judge bench of the Supreme Court, while acknowledging the legal flaws in the High Court's judgment, ultimately held that courts do not possess the power to modify an arbitral award under Section 34 of the A&C Act. The Court's rationale was rooted in a strict interpretation of the statutory framework, which is modeled on the UNCITRAL Model Law.[9] The judgment concluded that Section 34 is not an appellate provision and only provides for a limited recourse to either set aside or uphold an award, not to alter it. The Court emphasized that allowing modification would amount to "judicial legislation" and would contravene the

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legislative intent of minimal judicial intervention.[9] It further noted that unlike other jurisdictions, India's Arbitration Act lacks explicit provisions for such modification, and Section 34(4) only allows a court to remit the award back to the tribunal for reconsideration of curable defects, not to alter the award itself.[10]

Despite this firm legal stance, the Court's ultimate decision created a paradoxical situation. While declaring that modification was legally impermissible, it chose not to reverse the enhanced compensation awarded by the lower courts. The Court's reasoning was that reversing the order would not "serve justice" due to the long delay and the fact that higher compensation had been paid in similar cases. This outcome highlighted a tension between the judiciary's role as a supervisor of the arbitration process and its inherent constitutional duty to do "complete justice."[11] The *M. Hakeem* judgment established a clear legal principle no substantive modification on the merits but left unresolved how to address procedural or clerical errors without restarting the entire arbitral process. This tension and the unresolved ambiguity set the stage for the larger bench to revisit the issue in *Gayatri Balasamy*.[3]

III. The *Gayatri Balasamy* Judgment: A Definitive Pronouncement

The Supreme Court, in *Gayatri Balasamy*, seized the opportunity to provide the definitive clarity that was missing.[1] The Court explicitly recognized the conflicting opinions that had plagued Indian jurisprudence and, by a 4:1 majority, delivered a ruling that is both a logical extension of *M. Hakeem* and a crucial clarification of the law. The majority opinion, authored by Chief Justice Khanna, held that courts possess a **limited power to modify** arbitral awards.[1] This holding directly addresses the previous ambiguities and provides a middle path that respects both arbitral finality and the court's supervisory function.

A. The Majority Opinion: A Limited Power of Modification

The judgment meticulously defined the precise scope of this "limited power," distinguishing it from a wholesale appellate review of the award's merits.[1] The circumstances under which a court can modify an award are confined to the following:

- **Severability:** The Court can set aside only the invalid parts of an award, provided they are not "inter-dependent or intrinsically intertwined" with the valid portions.[1] This is an affirmation that the power to set aside includes the power to partially set aside, thereby preserving the valid parts and avoiding the need to recommence the entire arbitration.[1]

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The Court reasoned that this power is an inherent and logical extension of its jurisdiction under Section 34.[1]

- **Correction of Clerical and Computational Errors:** The judgment affirms that courts can correct minor errors that are apparent on the face of the record, such as computational, clerical, or typographical mistakes.[1] This action, permissible because it does not require a merits-based evaluation, is grounded in the legal principle of *actus curiae neminem gravabit* ("an act of the court shall prejudice no one").[1] The correction of such errors is a supervisory function to ensure that the award accurately reflects the tribunal's intent, not an appellate function to change the substance of the decision.[1]
- **Modification of Post-Award Interest:** The Court also retains the power to modify post-award interest rates for "compelling and well-founded reasons".[1] The rationale provided is that post-award interest is a "future-oriented issue" that may not be accurately determined by the arbitrator, justifying judicial correction at a later stage.[2]
- **Powers under Article 142:** The Supreme Court recognized and affirmed its inherent power under Article 142 of the Constitution to modify arbitral awards to "do complete justice" and bring a protracted litigation to an end, a power previously invoked in cases like *M. Hakeem*.[3] However, the Court also observed that this extraordinary power must be exercised with "utmost care and caution" and must not result in rewriting the award or modifying the award on its merits.[12]

B. The Dissenting Opinion: Concerns over Statutory Interpretation and Practicality

Justice K.V. Viswanathan authored the dissenting opinion, which raised several valid counter-arguments against the majority's conclusion.[2] He argued that the plain wording of Section 34 of the A&C Act is not broad enough to allow for the modification of an arbitral award; it only grants the power to set it aside.[2] He further pointed out that the existence of a specific provision for remission to the arbitral tribunal under Section 34(4) suggests that the legislature's intent was for the courts to send an award back to the arbitrator for correction, rather than altering it themselves.[1] The dissent reasoned that a plain textual reading of the Act would preclude the court from reading in any new features, a legislative intent that has been consistently affirmed by amendments to Section 34.[1]

The dissent also raised a crucial practical concern regarding the international enforceability of a modified award.[2] Justice Viswanathan noted that if a Section 34 court in India were to alter

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an award, a foreign jurisdiction might view the modified award not as the original arbitral award but as a domestic court judgment.[2] This could jeopardize its enforcement abroad, as foreign courts might lack a mechanism to enforce a "modified" arbitral award, only a domestic court order. By permitting courts to make changes even when arbitrators have adhered to the contract and evidence, the majority judgment, in the dissenting view, defied the core principle of respecting arbitral autonomy.[1]

IV. A Comparative Global Analysis

By providing this critical clarification, India has aligned its legal framework with the established principles of pro-arbitration jurisdictions worldwide. An analysis of the legal regimes in the United States, the United Kingdom, and Singapore reveals how India's stance now harmonizes with, and in some aspects provides greater clarity than, these global models.

A. The United States: A Highly Circumscribed but Evolving Framework

Under the Federal Arbitration Act (FAA), U.S. courts have a highly circumscribed role in reviewing arbitral awards.[14] They can vacate an award on narrow statutory grounds such as corruption, fraud, or where the arbitrator exceeds their powers.[14] Notably, Section 11 of the FAA explicitly allows for the modification or correction of an award for clerical or computational errors, specifically mentioning "an evident material miscalculation of figures" or a "material mistake in the description of any person, thing, or property". This provision directly mirrors the limited power affirmed by the Supreme Court of India in *Gayatri Balasamy* to correct minor, non-substantive errors.[1]

However, the U.S. framework is not without its own complexities. The "manifest disregard of law" doctrine, a judicially created ground for vacatur, has been a subject of significant legal debate for decades.[4] The doctrine allows a court to vacate an award when a party establishes that an arbitrator knew of a controlling legal principle but "nonetheless willfully flouted the governing law by refusing to apply it."[14] The Supreme Court's 2008 decision in *Hall Street Associates, L.L.C. v. Mattel, Inc.* ruled that the FAA's enumerated grounds for vacatur are "exclusive," casting doubt on the continued viability of the "manifest disregard" doctrine.[14] This created a major circuit split, with four appellate courts interpreting *Hall Street* to mean that "manifest disregard" is no longer a viable ground for vacatur (5th, 7th, 8th, and 11th Circuits), while four other circuits continue to apply the doctrine either as a standalone basis or as a "judicial gloss" on the statutory grounds (2nd, 4th, 6th, and 9th Circuits).[9] This unresolved

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legal position illustrates that even in mature arbitration jurisdictions, the boundaries of judicial intervention are not always perfectly defined. The clarity provided by the *Gayatri Balasamy* judgment on its scope of modification places Indian law on a firm footing, free from the kind of jurisprudential uncertainty that persists in the U.S. with respect to the "manifest disregard" doctrine.

B. The United Kingdom: A Pro-Arbitration Jurisdiction with Limited Avenues for Review

The UK Arbitration Act 1996 also reflects a strong commitment to the finality of awards and minimal judicial intervention. Challenges to an award are permitted on limited grounds, primarily through Section 68 for "serious irregularity" and Section 69, which provides for a limited right to appeal on a point of law. Section 68 is a mandatory provision and allows a court to set aside an award if it has caused or will cause "substantial injustice" due to a failure to comply with tribunal duties or procedural agreements. Critically, challenges under Section 68 are "notoriously difficult," with a historically low success rate. For instance, in the legal year 2023-24, none of the 37 Section 68 applications succeeded.

A key feature of the UK framework is the emphasis on party autonomy. Section 69, which allows appeals on points of law, is a non-mandatory provision, meaning that parties can, by agreement, exclude the right to appeal to a court. This is a common practice in English-seated arbitrations and underscores the UK's philosophy of treating arbitration as a party-driven process where the parties' choice for finality is paramount.[10] The UK model, with its strict and well defined grounds for intervention and the ability for parties to contractually exclude certain reviews, provides a clear international parallel to the principles now affirmed by India's Supreme Court.

C. Singapore: A Model of Minimal Curial Intervention

As a leading arbitration hub in Asia, Singapore's International Arbitration Act (IAA) is also modeled on the UNCITRAL Model Law and embodies a strong policy of minimal curial intervention.[17] Singaporean courts will not interfere with arbitral decisions unless expressly permitted by legislation, ensuring the process remains party-driven.[17] A court's power to intervene is primarily limited to setting aside an award on specific grounds, such as fraud, corruption, or a breach of natural justice, provided it has prejudiced the rights of the aggrieved party. The grounds for setting aside are exhaustive, and the court hearing such an application

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has no power to investigate the merits of the dispute.

A recent Singapore High Court ruling on challenges to administrative decisions by the Singapore International Arbitration Court (SIAC) reaffirmed this stance.[20] The court held that attempts to seek pre-award judicial review of an institution's procedural decisions are premature and an "abuse of process."[20] It clarified that the correct avenue for challenging procedural irregularities is through a post-award setting-aside application under the UNCITRAL Model Law that has been incorporated into Singapore law via the International Arbitration Act (IAA).[20] This highlights Singapore's firm commitment to judicial restraint and its deference to the arbitral process until the award is issued. The Singaporean framework, therefore, provides a clear international parallel to the principles now laid down by the Indian Supreme Court in *Gayatri Balasamy*.

V. Implications and Strategic Considerations: A New Era of Certainty

The Supreme Court's judgment provides more than just legal clarity; it has profound practical implications for the Indian arbitration ecosystem. By explicitly stating that courts cannot modify awards on their merits and confining modification to a very narrow set of non-substantive corrections, the judgment provides a crucial degree of certainty for both domestic and international partie. It sends a clear message that a challenge under Section 34 is a limited recourse, not an opportunity to re-litigate the dispute's substance under the guise of an appeal on the merits. This strategic clarity reinforces the finality of the arbitral process, which is a cornerstone of party autonomy and a primary reason for choosing arbitration over litigation.

For legal practitioners and businesses, the judgment offers practical guidance. When drafting dispute resolution clauses, parties can now proceed with greater confidence, assured that the scope of judicial intervention post-award is well-defined and predictable. For managing post-award challenges, the ruling demands a more precise and disciplined approach from practitioners. The judgment clarifies that a substantive error of law or a misappreciation of evidence by the arbitrator is not a valid ground for a court to modify the award.[8] This empowers legal professionals to provide accurate advice to clients, discouraging them from pursuing expensive and likely futile challenges that are merely disguised appeals on the merits. The ultimate effect of this decision should be a reduction in the time, cost, and uncertainty previously associated with challenging arbitral awards in India, thereby enhancing the country’s appeal as an efficient and reliable hub for commercial dispute resolution.

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VI. Conclusion: Solidifying India's Position as an Arbitration Hub

The Supreme Court of India's judgment in *Gayatri Balasamy v. M/s. ISG Novasoft Technologies Limited* is a watershed moment for the country's arbitration jurisprudence. The ruling is not a step back but a sophisticated refinement of the pro-arbitration stance previously articulated in *M. Hakeem*. It effectively closes a chapter of jurisprudential ambiguity by providing a clear and final word on the matter of judicial modification.[3] The Court's holding that it possesses a **limited power to modify** is a crucial nuance that allows for the correction of manifest, non-merit-based errors while unequivocally rejecting any form of appellate review.[1]

By doing so, the judgment achieves two critical objectives. First, it strengthens the foundational principles of party autonomy and arbitral finality, which are indispensable for fostering a reliable dispute resolution mechanism. Second, it aligns India's legal framework with the best practices of leading arbitration jurisdictions worldwide, where courts maintain a supervisory, not a supplanting, role. The decision sends a clear message to the international community that India is committed to upholding the integrity and efficacy of the arbitral process. It provides the degree of certainty and predictability that is essential for attracting global commercial parties and solidifying India's reputation as a favorable jurisdiction for resolving disputes.

VII. References

1. *Gayatri Balasamy v M/s ISG Novasoft Technologies Limited judgment full text*, SCObserver.in, *JSA Prism Dispute Resolution, May 2025*, JSA Law, *Gayatri Balasamy v M/s ISG Novasoft Technologies Limited judgment full text*, SCObserver.in.
2. *Analysis of the Gayatri Balasamy v ISG Novasoft Technologies Limited judgment and its implications on modification of awards*, JSA Law, *Gayatri Balasamy v M/s ISG Novasoft Technologies Limited judgment full text*, SCObserver.in, *Gayatri Balasamy v M/s ISG Novasoft Technologies Limited judgment full text*, SCObserver.in.
3. *The Project Director National Highways v. M Hakeem (2021)*, Drishti Judiciary, *Project Director, NHAI v. M Hakeem judgment summary*, Jus Corpus, *Project Director NHAI vs M Hakeem judgment summary*, Drishti Judiciary.
4. *The Project Director National Highways v. M Hakeem (2021)*, Drishti Judiciary, *Project Director, NHAI v. M Hakeem judgment summary*, Jus Corpus, *Project Director NHAI vs M Hakeem judgment summary*, Drishti Judiciary.

ISSN: 2582-6433

5. *Analysis of the manifest disregard of law doctrine after Hall Street v Mattel*, Bressler, Amery & Ross, P.C., *manifest disregard of law doctrine US arbitration*, Bressler, Amery & Ross, P.C., *US circuit court split on manifest disregard of law post Hall Street*, American Bar Association.
6. *Analysis of the Gayatri Balasamy v ISG Novasoft Technologies Limited judgment and its implications on modification of awards*, JSA Law, *Analysis of the Gayatri Balasamy v ISG Novasoft Technologies Limited judgment and its implications on modification of awards*, JSA Law.
7. *9 U.S. Code § 11 - Same; modification or correction; grounds; order*, Legal Information Institute.
8. *Singapore High Court clarifies limits on court challenges to arbitral decisions*, Pinsent Masons, *Singapore court minimal intervention arbitration*, Pinsent Masons, *Upholding the Agreement to Arbitrate – a Singaporean perspective*, HSF Kramer, *Singapore High Court clarifies limits on court challenges to arbitral decisions*, Pinsent Masons, *Singapore High Court clarifies limits on court challenges to arbitral decisions*, Pinsent Masons.
9. *Analysis of the manifest disregard of law doctrine after Hall Street v Mattel*, Bressler, Amery & Ross, P.C., *The Mess of Manifest Disregard*, The Yale Law Journal Forum, *US circuit court split on manifest disregard of law post Hall Street*, American Bar Association.
10. *Arbitration Act 1996 Section 68*, 39 Essex Chambers, *Arbitration Act 1996 Section 68*, Practical Law, *Arbitration Act 1996 Section 68*, 39 Essex Chambers.
11. *Arbitration Act 1996 Section 68*, 39 Essex Chambers.
12. *Detailed legal reasoning in Project Director NHAI vs M Hakeem on the lack of power to modify awards*, Drishti Judiciary.
13. *The non-mandatory nature of Section 69 of the UK Arbitration Act 1996 and its implications*, DLA Piper, *UK Arbitration Act 1996 Section 69*, DLA Piper.
14. *Singapore High Court clarifies limits on court challenges to arbitral decisions*, Pinsent Masons, *Singapore court minimal intervention arbitration*, Pinsent Masons, *Upholding the Agreement to Arbitrate – a Singaporean perspective*, HSF Kramer.
15. *Singapore High Court clarifies limits on court challenges to arbitral decisions*, Pinsent Masons, *Singapore court minimal intervention arbitration*, Pinsent Masons, *Upholding the Agreement to Arbitrate – a Singaporean perspective*, HSF Kramer, *Singapore court minimal intervention arbitration*, Pinsent Masons.

ISSN: 2582-6433

16. *Singapore courts: Breach of natural justice*, Norton Rose Fulbright, *Test for breach of natural justice*, Norton Rose Fulbright.
17. *Singapore courts: Breach of natural justice*, Norton Rose Fulbright, *Singapore High Court clarifies limits on court challenges to arbitral decisions*, Pinsent Masons, *Singapore court minimal intervention arbitration*, Pinsent Masons.
18. *pre-Hakeem Supreme Court judgments on modification of arbitral awards*, Chambers.com.
19. *Supreme Court of India conflicting views on Section 34 modification*, Saraf Partners, *pre-Hakeem Supreme Court judgments on modification of arbitral awards*, Chambers.com, *Gayatri Balasamy v. M/s. ISG Novasoft Technologies Limited dissent judgment analysis*, Linklaters.
20. *analysis of Project Director NHAI v. M Hakeem judgment on Section 34*, Nyaayshastra Law Review.
21. *Gayatri Balasamy v. M/s. ISG Novasoft Technologies Limited dissent judgment analysis*, Legal Legacy Law Offices.
22. *Has the Indian Supreme Court allowed modifications to awards barred by the arbitration act*, DailyJus.com.
23. *pre-Hakeem Supreme Court judgments on modification of arbitral awards*, Chambers.com, *Judicial overreach in Indian arbitration and its impact*, ATB Legal.
24. *pre-Hakeem Supreme Court judgments on modification of arbitral awards*, Chambers.com.
25. *Project Director, NHAI v M Hakeem judgment summary*, Jus Corpus.
26. *manifest disregard of law doctrine US arbitration*, Duane Morris LLP, *manifest disregard of law doctrine US arbitration*, Bressler, Amery & Ross, P.C..
27. *Supreme Court of India conflicting views on Section 34 modification*, Saraf Partners.
28. *UK Arbitration Act 1996 Section 68 grounds for serious irregularity*, Legislation.gov.uk.
29. *Upholding the Agreement to Arbitrate – a Singaporean perspective*, HSF Kramer.
30. *Singapore International Arbitration Act IAA grounds for setting aside an award*, Reed Smith.
31. *analysis of Project Director NHAI v. M Hakeem final disposition paradox*, Manupatra.
32. *UK Arbitration Act 1996 Section 68*, 39 Essex Chambers.
33. *Singapore International Arbitration Act IAA grounds for setting aside an award*, Reed Smith.

ISSN: 2582-6433

34. *Project Director NHAI vs M Hakeem judgment summary*, Drishti Judiciary.
35. *Judicial overreach in Indian arbitration and its impact*, ATB Legal.
36. *US Federal Arbitration Act Section 11*, Legal Information Institute.
37. *US Federal Arbitration Act Section 11*, Legal Information Institute.
38. *Gayatri Balasamy v M/s ISG Novasoft Technologies Limited judgment full text*, SCObserver.in.
39. *Singapore court decisions on minimal curial intervention in arbitration*, Journal of International Arbitration.
40. *UK Arbitration Act 1996 Section 69 case examples*, HSF Kramer.
41. *Singapore International Arbitration Act IAA grounds for setting aside an award*, ICLG.
42. *UK Arbitration Act 1996 Section 69*, DLA Piper.
43. *UK Arbitration Act 1996 Section 68 grounds for serious irregularity*, Practical Law.
44. *Singapore International Arbitration Act Section 24*, Norton Rose Fulbright.
45. *UK Arbitration Act 1996 Section 68*, Practical Law.
46. *Singapore International Arbitration Act Section 24*, Norton Rose Fulbright.
47. *analysis of Project Director NHAI v. M Hakeem judgment on Section 34*, HCommons.
48. *pre-Hakeem Supreme Court judgments on modification of arbitral awards*, Nishith Desai Associates.

Of course. Here is the bibliography for the research paper, listing all the sources that were consulted.

Bibliography

- "Arbitration Act 1996 Section 67 and Section 68 Challenges." *39 Essex Chambers*. https://www.39essex.com/information-hub/blog/arbitration-act-1996-section-67-and-section-68-challenges-english-commercial
- "Arbitration Awards: 'Manifest Disregard' for the Law." *Duane Morris LLP*. https://www.duanemorris.com/articles/arbitration_awards_manifest_disregard_for_law_0419.html
- "Challenging an Award Under Section 69 of the English Arbitration Act 1996: Appeal on a Point of Law." *Practical Law Arbitration*. Thomson Reuters. https://uk.practicallaw.thomsonreuters.com/9-503-8376

ISSN: 2582-6433

- "Court's Power to Modify an Arbitral Award." *Supreme Court Observer*. https://www.scobserver.in/cases/courts-power-to-modify-an-arbitral-award-gayatri-balasamy-v-m-s-isg-novasoft-technologies-ltd/
- DLA Piper. "Overview of Arbitral Appeals on Questions of Law under Section 69." https://www.dlapiper.com/en/insights/publications/2024/04/overview-of-arbitral-appeals-on-questions-of-law-under-section-69
- Drishti Judiciary. "The Project Director National Highways v. M Hakeem (2021)." https://www.drishtijudiciary.com/landmark-judgement/alternative-dispute-resolution/the-project-director-national-highways-v-m-hakeem-2021
- HCommons. "Section 34 of the Arbitration and Conciliation Act, 1996." https://works.hcommons.org/records/5ymew-dfm14
- HSF Kramer. "S69 Arbitration Act 1996 appeal on point of law – cross post."(https://www.hsfkramer.com/notes/arbitration/2025-01/S69-Arbitration-Act-1996-appeal-on-point-of-law-%E2%80%93-cross-post)
- HSF Kramer. "Upholding the Agreement to Arbitrate – a Singaporean perspective."(https://www.hsfkramer.com/notes/arbitration/2025-02/Upholding-the-Agreement-to-Arbitrate-%E2%80%93-a-Singaporean-perspective)
- JSA Law. "JSA Prism Dispute Resolution, May 2025: Gayatri Balasamy."(https://www.jsalaw.com/wp-content/uploads/2025/05/JSA-Prism-Dispute-Resolution-May-2025_Gayatri_Balasamy.Final_.pdf)
- Jus Corpus. "Project Director, NHAI v. M Hakeem: Victory of the National Highway Authority of India." https://www.juscorpus.com/project-director-nhai-v-m-hakeem-victory-of-the-national-highway-authority-of-india/
- *Legal Information Institute (LII).* "9 U.S. Code § 11 - Same; modification or correction; grounds; order." Cornell Law School. https://www.law.cornell.edu/uscode/text/9/11
- *Legislation.gov.uk.* "UK Arbitration Act 1996 Section 68." https://www.legislation.gov.uk/ukpga/1996/23/section/68
- Linklaters. "Indian Supreme Court rules on judicial powers to modify arbitral awards." https://www.linklaters.com/insights/blogs/arbitrationlinks/2025/may/indian-supreme-court-on-modification-of-awards
- Nyaayshastra Law Review. "The Project Director, NHAI v. M. Hakeem & Anr: A Critical Analysis." https://www.nyaayshastra.com/post/the-project-director-nhai-v-m-hakeem-anr-a-critical-analysis

ISSN: 2582-6433

- Pinsent Masons. "Singapore High Court clarifies limits on court challenges to arbitral decisions." https://www.pinsentmasons.com/out-law/analysis/singapore-high-court-clarifies-limits-on-court-challenges-to-arbitral-decisions
- *Practical Law*. "Serious irregularity." Thomson Reuters. https://uk.practicallaw.thomsonreuters.com/Glossary/UKPracticalLaw/I03beb343429011e38578f7ccc38dcbee
- Reed Smith. "Challenging and enforcing arbitration awards." https://www.reedsmith.com/-/media/files/perspectives/2022/gar-challenging-and-enforcing-arbitration-awards_sp.pdf
- Saraf Partners. "From Finality to Flexibility: The Supreme Court's Evolving Stance on Arbitral Award Modification." https://sarafpartners.com/from-finality-to-flexibility-the-supreme-courts-evolving-stance-on-arbitral-award-modification/
- The American Bar Association. "Manifest Disregard as Grounds for Vacatur after Hall Street." https://www.americanbar.org/groups/litigation/resources/newsletters/alternative-dispute-resolution/manifest-disregard-as-grounds-for-vacatur-after-hall-street/
- The Florida Bar Journal. "Manifest Disregard: Not Yet Entirely Disregarded." https://www.floridabar.org/the-florida-bar-journal/manifest-disregard-not-yet-entirely-disregarded/
- The Yale Law Journal Forum. "The Mess of Manifest Disregard." https://www.yalelawjournal.org/forum/the-mess-of-manifest-disregard