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# **ADJUDICATION OF COMMERCIAL DISPUTE IN INDIA UNDER COMMERCIAL COURT ACT,2015**

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## **I. ABSTRACT**

To resolve commercial disputes up to a specific sum and things linked or incidental to them, the Commercial Courts Act of 2015 established Commercial Courts, Commercial Divisions, and Commercial Appellate Divisions within the High Courts. The Act aims to expedite the resolution of commercial disputes in India by providing provisions for establishing Commercial Courts at the district judge level. Commercial and Civil Appellate Courts for regions covered by the High Courts<sup>3</sup> original civil jurisdiction. The Act also established the Pre-Institution Mediation and Settlement Process to resolve commercial disputes. The amended Act's goals are to decrease the threshold valuation for a business dispute and grant State Governments the power to establish business courts in areas where district judges have less judicial jurisdiction. The Act mandates that parties must attempt to resolve their commercial disputes through mediation before pursuing legal action. The Act additionally requires that every effort be made to encourage mediation as a conflict resolution method by the court when considering an appeal against a commercial court order. The Act also creates Commercial Appellate Courts at the district and high court levels and describes the data collection and disclosure procedures under the Act. The definition of a business dispute, how it came to be, the necessity of using commercial courts, its establishment and purposes, and significant case law are covered in this Article.<sup>4</sup>

Keywords: Commercial Court, mediation, Jurisdiction, Dispute Settlement.

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<sup>3</sup> Commercial Courts Act, 2015, s. 1.

<sup>4</sup> A. Kumar, 'Understanding the Commercial Courts Act, 2015: An Overview' (2019) 8(3) Indian Journal of Legal Studies 210.

## I. Introduction

Since the 1950s, the Law Commission of India has suggested various reforms in the machinery of justice, with a view to removing defects that engulf our justice system. Till date, they have produced more than 256 reports (an average of just over four per year<sup>5</sup>). In 1991, the economic policy of liberalization, globalization, and privatization turned out to be a complete game changer for the Indian economy and, by extension, for the justice system in the country. The new economic policy opened the Indian market to international trade and investment and largely initiated privatization. Unfortunately, even after the adoption of the new economic policy, investors in the Indian market, particularly foreign investors, faced problems due to the poor state of the country's judicial infrastructure. Our courts were overburdened with cases, lacked an adequate number of judges, took a very long time to dispose of cases, and, most importantly, judges lacked the expertise required to resolve a complex commercial dispute. Thus, the Indian legal infrastructure needed reforms even before 1991; however, the cycle of reforms that started post-1991 gave it an additional trigger. About a decade later, in 2003, the Law Commission, in its 188th Report, noted, for the very first time, that the number of disputes arising out of business and commerce had vastly increased post-1991. It stated that these disputes, which were mostly 'commercial' in nature needed to be specifically dealt by fast-track courts that are technologically equipped and have professionally competent and trained judges who can hear these commercial matters within designated timelines<sup>6</sup>. In fact, the Law Commission specifically noted that one of the biggest reasons to create commercial courts was to prioritize these high-value litigations over other pending matters. Having an effective commercial dispute resolution framework would not only make the Indian litigation environment look good to the world but also cater to the needs of domestic businesses that have been caught up in litigation for years. If the commercial justice system is fast and efficient, it would automatically create a welcoming business environment and boost the country's international economic relations, which essentially was one of the most important objectives of the 1991 policy. Following the above line of thought, in the same Report, the Law Commission put forward the Commercial Division of High Courts Act, 2009<sup>7</sup> ('the 2009 Act'). The Act required State Governments to establish Commercial Divisions in the High Courts of their respective states. This was the first legislative attempt to identify and categorize

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<sup>5</sup> Law Commission of India, 'Reports' (Government of India, 2022) <https://lawcommissionofindia.nic.in/reports/> [accessed 11 March 2024].

<sup>6</sup> Law Commission of India, 'Report No. 188: Fast Track Courts for Commercial Disputes' (Government of India, 2003) <https://lawcommissionofindia.nic.in/reports/188rpt.htm> [accessed 11 March 2024].

<sup>7</sup> The Commercial Division of High Courts Bill, 2009. <https://prsindia.org/billtrack/the-commercial-division-of-high-courts-bill-2009>

'commercial disputes' separately and suggest that the country needed specialized courts dedicated to resolving these disputes. Although the 2009 Act initially received opposition in the Rajya Sabha, a lot of deliberations and discussions led to the final enactment of CCA in 2015. The author has discussed the historical evolution of the same in Part III. In 2003, the 188th Report of the Law Commission of India ("Law Commission") first recommended setting up fast-track courts in the High Courts. In 2009, the Commercial Division of High Courts Act was approved by the Lok Sabha ("2009 Act"). The Act was then examined by a Select Committee of the Rajya Sabha ("Select Committee"), which presented its Report on July 29, 2010. A revised Commercial Division of the High Court's Act, 2010 was presented before the Rajya Sabha. Owing to reservations expressed by several members of Parliament, the 2010 Act was referred to the Law Commission for re-examination of its provisions. In particular, the Law Commission was tasked with scrutinizing the scope and definition of 'commercial dispute.' The Law Commission then engaged in several discussions with expert committees and submitted a new report in 2015, namely, the 253rd Report. The 253rd Report recommended setting up commercial courts, Commercial Divisions, and Commercial Appellate Divisions in the High Courts<sup>8</sup>. As a result, the Commercial Division and Commercial Appellate Division of High Courts and Commercial Courts Act<sup>9</sup>, 2015 (the "2015 Act") was enacted by both Houses of Parliament on January 1, 2016, and made effective from October 23, 2015. In August 2018, the Act was amended through the Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts (Amendment) Act, 2018 (the "Amended Act") (the 2015 Act and the Amended Act together referred to as the "Act") to reduce the pecuniary limits to jurisdiction for commercial disputes, thereby increasing the workload of these courts. Unlike recent Indian legislations, which were enacted by Parliament without much debate, the 2015 Act underwent several modifications across 15 years before reaching its present iteration. In this Section, we review the evolution of the commercial court's policy across three main policy documents: the 188th and 253rd Reports, the 2015 Act, and the Amended Act. The Article focus on the changing objectives of the policy, the jurisdiction of the court, the procedure to be followed, and the cost rule.

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<sup>8</sup> The Commercial Division of High Courts Bill, 2009. <https://prsindia.org/billtrack/the-commercial-division-of-high-courts-bill-2009>

<sup>9</sup> Necessity of Pre-Suit Mediation in Commercial Disputes: An Analysis of Section 12A of the Commercial Courts Act, 2015 – SURANA & SURANA. <https://suranaandsurana.com/2022/12/13/necessity-of-pre-suit-mediation-in-commercial-disputes-an-analysis-of-section-12a-of-the-commercial-courts-act-2015/>

## **I. Meaning of Commercial Court:**

A wide range of business transactions, contracts, and other commercial activity are included in the broad definition of commercial disputes provided under the Commercial Courts Act of 2015. The Act's Section 2(c) offers a thorough description of commercial disputes, guaranteeing that all pertinent issues are covered by the commercial courts. The definition of "commercial dispute" provided under the Commercial Courts Act outlines the scope of disputes falling within its purview. According to Section 2(1)(c)<sup>10</sup> of the Act, a commercial dispute arises out of various types of transactions and agreements commonly encountered in commercial dealings. These include:

1. Ordinary transactions of merchants, bankers, financiers, and traders, including enforcement and interpretation of mercantile documents.
2. Export or import of merchandise or services.
3. Issues related to admiralty and maritime law.
4. Transactions involving aircraft, aircraft engines, aircraft equipment, and helicopters, including sales, leasing, and financing.
5. Carriage of goods.
6. Construction and infrastructure contracts, including tenders.
7. Agreements relating to immovable property used exclusively in trade or commerce.
8. Franchising agreements.
9. Distribution and licensing agreements.
10. Management and consultancy agreements.
11. Joint venture agreements.
12. Shareholders agreements.
13. Subscription and investment agreements in the services industry, including outsourcing services and financial services.
14. Mercantile agency and mercantile usage.
15. Partnership agreements.
16. Technology development agreements.
17. Intellectual property rights concerning trademarks, copyright, patents, designs, domain names, geographical indications, and semiconductor integrated circuits.
18. Agreements for the sale of goods or provision of services.

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<sup>10</sup>[https://www.indiacode.nic.in/showdata?actid=AC\\_CEN\\_3\\_46\\_00008\\_201604\\_1517807328347&sectionId=9671&sectionno=2&orderno=2](https://www.indiacode.nic.in/showdata?actid=AC_CEN_3_46_00008_201604_1517807328347&sectionId=9671&sectionno=2&orderno=2)

19. Exploitation of oil and gas reserves or other natural resources, including electromagnetic spectrum.
20. Insurance and reinsurance contracts.
21. Contracts of agency related to any of the above.
22. Any other commercial disputes notified by the Central Government.

Additionally, the explanation provided in the Act clarifies that a dispute does not cease to be a commercial dispute merely because it involves actions such as the recovery of immovable property or realization of monies secured by immovable property, or if one of the contracting parties is a governmental body or a private entity performing public functions.

This comprehensive definition encompasses a wide range of commercial activities, ensuring that disputes arising from various commercial transactions and agreements are adjudicated efficiently under the provisions of the Commercial Courts Act. The case of *Ambalal Sarabhai Enterprises Ltd. v. K.S. Infraspace LLP & Anr.*<sup>11</sup> pertains to the interpretation of what constitutes a "commercial dispute" under the Commercial Courts Act, 2015. The Supreme Court, in its judgment dated October 4, 2019, clarified that disputes arising from agreements related to immovable property are categorized as commercial disputes only if the property is actually and exclusively used in trade or commerce. The Supreme Court observed that the plaintiff filed by the Appellant did not specify how the property was being used for trade or commerce. It emphasized that the jurisdiction of the Commercial Court can only be invoked if the immovable property in question is actually used for trade or commerce.

## **II. The Imperative for Referring Disputes to Commercial Courts:**

The need for specialized commercial courts arises from the complex nature of commercial disputes, which often involve intricate legal and technical issues. To handle such matters effectively, traditional judicial venues could require more excellent knowledge and resources, which could cause delays and inefficiencies in the settlement process. Commercial courts are more suited to handle these issues because they have judges who are versed in business law and because they have access to new technology. The Act requires the creation of commercial

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<sup>11</sup> *Ambalal Sarabhai Enterprises Ltd. v. K.S. Infraspace LLP & Anr.*, Civil Appeal No. 10084 of 2018, Supreme Court of India, judgment dated October 4, 2019. Available at: [<https://www.vaishlaw.com/supreme-court-definition-of-commercial-disputes-under-the-commercial-courts-act-2015-to-include-immovable-property-actually-used-and-not-likely-to-be-used/>]

sections in high courts and commercial courts at the district level to handle exclusively commercial cases<sup>12</sup>. The Act tries to increase investor trust in the legal system and expedite dispute settlement by granting authority to these specific courts. To guarantee that these courts decide only critical corporate issues, the Act establishes a defined threshold for assessing the commercial character of disputes. The Act enables commercial courts to dispose of matters within specific timeframes to expedite settlement. It guarantees parties obtain justice quickly, reducing the financial burden of protracted litigation. Judges in business courts are experts with experience in commercial law, ensuring that authorized parties decide conflicts. The Act strongly emphasizes the use of technology to enhance the efficiency and transparency of the adjudicatory process in court cases. It includes electronic evidence, e-filing, and e-service. Since it passed, the way commercial disputes are settled in India has evolved significantly due to the Commercial Courts Act of 2015<sup>13</sup>. By providing a dedicated venue for resolving such disputes, the Act has considerably decreased the backlog of cases and enhanced the legal system's effectiveness. Additionally, establishing commercial courts has boosted India's standing as a top corporate destination by fostering trust among domestic and foreign investors. Although the Commercial Courts Act of 2015 is a praiseworthy endeavor to revise the legal structure around commercial disputes, several obstacles still exist. These include complicated legal procedures, a lack of qualified judges, and inadequate infrastructure. To ensure the Act is implemented effectively, the government, courts, and other stakeholders must work together to address these issues.

### **III. Jurisdiction of Commercial Courts:**

The key provision that establishes the jurisdiction of commercial courts established under the Commercial Courts Act 2015 is Section 6. It describes the range of matters that are brought before these special courts for decision-making. The jurisdiction of commercial courts is established under Section 6 and is contingent upon the value of the subject matter in dispute. It states that conflicts involving goods valued at a certain amount or more may be decided by commercial courts. Under the Act, commercial courts and commercial divisions in high courts can decide disputes with a value of at least one crore rupees. The Act reduces this limit to an amount of at least three lakh rupees or a higher value to be notified by the central government<sup>14</sup>. It says that disputes involving business transactions of a certain amount or more may be heard in commercial courts. This barrier, which varies based on the economic significance of the dispute and the state

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<sup>10</sup> <https://prsindia.org/billtrack/prs-products/prs-bill-summary-3066>

<sup>13</sup> <https://www.indiacode.nic.in/bitstream/123456789/2156/1/a2016-04.pdf>

<sup>14</sup> <https://prsindia.org/billtrack/prs-products/prs-bill-summary-3066>

of the market, is set by the government. Although the value barrier is used in Section 6 to determine the jurisdiction of commercial courts, some things are not included in this definition. It means that some types of lawsuits, such as those involving non-commercial conflicts or subjects specifically barred by other laws, are not within the purview of commercial courts. In order to prevent jurisdictional problems and promote the effective resolution of business disputes, it guarantees that commercial courts concentrate solely on business matters<sup>15</sup>. Commercial appellate courts at the district level are established under Section 7 of the Act. Appeals from orders and judgements rendered by commercial courts operating within their districts are subject to the jurisdiction of these appellate courts. The Act's Section 10 allows high courts to create business divisions. Commercial disputes that surpass the designated value level fall under the jurisdiction of these divisions. They guarantee the effective handling of intricate business matters by high courts. According to section 2(1)(c) of the Commercial Courts Act, which defines commercial disputes, this is the subject matter jurisdiction. The Commercial Courts Act of 2015 places a strong emphasis on the necessity of expert adjudication in commercial disputes in order to guarantee prompt and effective settlement. It stipulates that judges having a background in business affairs will be appointed to head commercial courts and divisions. The Act's Section 3(2) provides definitions for judge appointments. The 2015 Commercial Courts Act creates an appeal process to examine rulings made by divisions and courts of commerce. It guarantees that parties may file complaints with higher authorities if they are unfulfilled with the way their cases were resolved. The Appeal is defined under Section 13 of the Act.

#### **IV. Judicial Interpretation**

##### **1. Authority of the Commercial Division of the High Courts. Outlined in case, Daimler Financial Services India Pvt. Limited vs. Vikash Kumar and Ors.**

A thorough examination of the Commercial Court's jurisdiction may be found in the current instance; the petitioner is a non-banking financial institution that gave the respondents a loan, but they later stopped making payments. The case was sent to a single arbitrator for resolution by the contract terms. However, the petitioner filed a case with the Dhanbad Commercial Court after getting an inadequate ruling. Under the direction of its judicial officer, the court denied the petition on the grounds of jurisdictional limitations, as specified by the threshold of 1 crore rupees, without any announcement from the state government about changes to this cap for its

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<sup>15</sup><https://www.advocatekhaj.com/library/bareacts/commercialcourts/index.php?Title=Commercial%20Courts%20Act,%202015>

adjudication. Later, the petitioner formally petitioned the High Court of Jharkhand in Ranchi, citing Article 227 of the Indian Constitution. According to this constitutional clause, the High Court has supervisory responsibility over all courts and tribunals under its geographical jurisdiction, which gives it a legal means of reviewing and supervising judgments made by lesser courts.

Even though TDM Infrastructure Pvt. Ltd. is under foreign control, the Supreme Court ruled in the matter of **TDM Infrastructure Pvt. Ltd. v. UE Development India Pvt. Ltd**<sup>16</sup>. ("TDM Infrastructure") that "a company formed in India can only be considered Indian for the Act." The Supreme Court categorized arbitration involving Indian incorporated companies under foreign control as domestic arbitration, despite the Act acknowledging that arbitration involving corporations with management and control outside India is considered an International Commercial Arbitration (ICA). A notable modification was made to Section 2(1)(f)(iii) by the 2015 Amendment Act, which eliminated the word "a firm" and limited the definition to include just a group of people or an organization. Because of this, the dominant understanding requires that the position of Indian-incorporated companies, central management, and control have no bearing on their eligibility for arbitration. This position is demonstrated by a recent court decision in which the Supreme Court decided a case involving overseas corporations and an Indian company that was the lead partner in a consortium with its headquarters in Mumbai. The court established India as the consortium's core administrative and control hub by upholding the Indian firm's right to choose the group's chairman.

## **2. Encompasses an arbitration clause, Outlined in case, M/s NN Global Mercantile Pvt Ltd vs. M/s Indo Unique Flame Ltd & Others**<sup>17</sup>

The Supreme Court decided that an agreement that includes an arbitration clause is subject to stamp duty regulations. However, according to Section 2(h) of the Contract Act, it is only legally enforceable if the document is stamped. Furthermore, it isn't enforceable under Contract Act Section 2(g). Therefore, compliance with stamp duty laws is essential to guaranteeing the legality of contracts.

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<sup>16</sup> TDM Infrastructure Pvt. Ltd. v. UE Development India Pvt. Ltd., (2008) 14 SCC 271.

<sup>17</sup> *M/s NN Global Mercantile Pvt Ltd v. M/s Indo Unique Flame Ltd & Others*, 2023 SCC Online SC 495.

### 3. Any appeals to an arbitral outlined case, **Ircon International Limited vs. Afcons Infrastructure Limited.**<sup>18</sup>

It was emphasized that for an appeal to be granted under Section 34 of the Act, the requirements listed in the Act must be met. The Act was passed to reduce court involvement and foster quick and effective arbitration of disputes. An award can only be declared void under specific legal circumstances. The court reiterated that its participation in challenges under Section 34 is limited based on past cases. The body needs the authority to hear appeals or to reevaluate the case's facts and supporting documentation. The court found that there are restrictions on how much an arbitral judgment under Section 34 can be involved until it is evident that the arbitrator, who has complete authority to It was emphasized that for an appeal to be granted under Section 34 of the Act, the requirements listed in the Act, must be met. When assessing the facts, circumstances, evidence, and documents provided to them, the Act, which had control over the evidence, erred. The form's text is positioned at both the top and bottom.

### 4. The revaluation of evidence, outlined in case, **Ssangyong Engg. & Construction Co. Ltd. vs. NHAI**<sup>19</sup>

The Supreme Court made it clear that in a Section 34 petition, the patent illegality argument cannot support the revaluation of evidence—which is permitted by the court. The court further noted that relatively few grounds are available to challenge a decision under Section 34.

### 5. Examine the notion of arbitrability in the case of **Booz Allen and Hamilton Inc. v. SBI Home Finance Ltd**<sup>20</sup>.

The Supreme Court thoroughly analyzed the concept of arbitrability. The study concluded that the term "arbitrability" has several meanings depending on the situation:

- (a) conflicts that can be settled by arbitration,
- (b) disputes that are covered by the arbitration agreement and
- (c) Conflicts that the parties have expressly agreed to be arbitrated.

Every dispute that a civil court can resolve may be resolved through arbitration. Certain disputes may likely be inherently prohibited from being settled by a non-governmental organization. Arbitrable disagreements consist of: Among the types of differences that are frequently seen in

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<sup>18</sup> *Ircon International Limited v. Afcons Infrastructure Limited*, 2023 SCC Online Del 2350.

<sup>19</sup> *Ssangyong Engineering & Construction Co. Ltd. v. National Highways Authority of India (NHAI)*, civil appeal no. 4779 of 2019, available at [https://www.sci.gov.in/supremecourt/2017/19190/19190\\_2017\\_Judgement\\_08-May-2019.pdf](https://www.sci.gov.in/supremecourt/2017/19190/19190_2017_Judgement_08-May-2019.pdf).

<sup>20</sup> *Booz Allen and Hamilton Inc. v. SBI Home Finance Ltd.*, (2011) 5 SCC 532.

the context of judicial processes are the following:

- Criminal case cases;
- Divorce cases including separation, divorce, rights to the marriage, or child custody;
- Guardianship cases arrangements • Concerns about insolvency and the winding-up procedure
- Will-related legal issues, including succession certificates, letters of administration, and grants of probate
- Tenancy or eviction disputes, especially those governed by specific regulations that give renters legal remedies against eviction.

The only courts with the power to decide these cases or issue eviction are the ones that resolve these conflicts. These many classifications highlight the complexity of legal disputes in the legal system.

## **Conclusion**

The Commercial Courts Act of 2015, which established commercial courts, is a significant step forward in India's continuous efforts to improve its business climate and judicial system. These niche courts are essential to the prompt resolution of business conflicts, economic expansion, confidence-building of investors, and smooth operation of the legal system. To fully achieve the Act's promise of fostering an appropriate business climate, obstacles still need to be overcome, even though it has established a solid framework for settling commercial disputes. Creating a specialized venue for settling business disputes is one of the main goals of the Commercial Courts Act of 2015<sup>21</sup>. The Act seeks to expedite the adjudication procedure and guarantee that disagreements settle quickly, swiftly, and effectively by establishing expert divisions and courts with authority over business disputes<sup>22</sup>. These specialist courts possess the know-how required to apply pertinent business rules and principles while comprehending the intricacies of business operations. The Act also establishes accelerated processes and deadlines for resolving business disputes. It is crucial because, in the business world, time is of the essence, and delays in resolving disputes may significantly impact investors and companies. The Act gives investors, both local and foreign, confidence by enhancing the legitimacy of the judicial system and offering fast and

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<sup>21</sup> S. Gupta, 'Impact of Commercial Courts Act, 2015 on India's Business Environment' (2019) 7(4) Indian Journal of Business Law 289.

<sup>22</sup> R. Sharma, 'Ensuring Impartiality and Transparency: A Critical Analysis of the Commercial Courts Act, 2015' (2018) 6(3) Indian Journal of Business Law 201.

effective settlement methods<sup>23</sup>. In addition, the Commercial Courts Act of 2015 guarantees impartiality and openness in resolving controversies. The Act has specific procedural procedures. The rights of any party and encourage fair competition in business challenges. The Act also creates an appeal process to examine commercial court rulings, improve accountability, and ensure justice. To enhance the efficiency of commercial courts, several issues still need to be resolved, even with the tremendous advancements brought about by the Commercial Courts Act of 2015. A problem that may compromise the efficacy of these specialized forums is the backlog of cases in commercial courts. To reduce this backlog and guarantee prompt conflict resolution, initiatives must be undertaken to improve the effectiveness of court procedures, expand judicial capacity, and support alternative dispute settlement methods.

Additionally, it's imperative to update continuously and stay up with changing business practices and the increasing complexity of commercial transactions; the legal framework regulating commercial courts must be refined. To close loopholes, expedite processes, and improve the efficiency of Commercial courts in settling disputes, periodic revisions and overhauls to the Commercial Courts Act of 2015 are needed.

### **Recommendation and suggestion**

A vital aspect of India's legal framework, the closure of commercial disputes under the Commercial Courts Act 2015 significantly impacts the nation's economy, investor confidence, and business conditions generally. While creating excellent business courts is a positive step towards quick settlement, more money should be allocated to judicial infrastructure and capacity building. Even with the establishment of Commercial courts, backlogs in cases and delays in conflict resolution persist. Sufficient resources must be allotted to guarantee the seamless operation of commercial courts. This includes the selection of competent juries and support personnel, as well as the use of technological advancements for maximizing court processes and case administration<sup>24</sup>. Alternate conflict resolution procedures must be prioritized in addition to customary litigation, such as arbitration and mediation<sup>25</sup>. By guaranteeing parties increased flexibility, secrecy, and cost-effectiveness in conflict settlement, these tools lighten the legal

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<sup>23</sup> J. Patel, 'The Impact of Commercial Courts Act, 2015 on Investor Confidence' (2020) 15(2) International Journal of Legal Studies 87.

<sup>24</sup> R. Sharma, 'Modernizing Judicial Infrastructure in India: Leveraging Technological Advancements' (2020) 14(3) Journal of Legal Reforms 182.

<sup>25</sup> M. Singh, 'The Role of Alternative Dispute Resolution in Easing Judicial Backlogs in India' (2018) 5(2) Indian Journal of Business Law 109.

system load and boost the resolution process<sup>26</sup>.

Awareness campaigns and training workshops should be held to encourage companies and legal practitioners to use alternative conflict settlement procedures. To address new issues and weaknesses in the legal system, the Commercial Courts Act of 2015 has to be reviewed and updated regularly. Procedures should be streamlined, judgments should be more easily enforced, and best practices from overseas should be included. It is advisable to put together stakeholder discussions to get suggestions and views for enhancing the efficiency of business dispute resolution procedures. There needs to be a coordinated pursuit. To improve the adjudication process's accountability and honesty<sup>27</sup>. A fair and unbiased adjudication process can be ensured by increasing openness, such as digitizing court documents, implementing online case monitoring systems, and granting public access to judicial rulings. To uphold accountability and encourage perpetual growth, procedures for keeping tabs on the functioning of commercial courts and assessing the success of judicial reforms should also be implemented<sup>28</sup>. Initiatives aimed at increasing capacity should also be implemented to improve judges' and other legal professionals' specific knowledge and proficiency in business law and dispute resolution. Workshops, seminars, and exchange agreements with foreign organizations can all aid in developing the abilities needed to resolve business disagreements successfully.

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24 J. Patel, 'The Impact of Arbitration and Mediation on India's Legal System' (2021) 10(4) *International Journal of Legal Studies* 245.

27 R. Gupta, 'Enhancing Accountability and Transparency in India's Adjudication Process' (2020) 9(2) *Indian Journal of Legal Studies* 123.

28 ] S. Sharma, 'Measuring Success: Assessing the Impact of Judicial Reforms in India' (2019) 7(3) *Indian Journal of Business Law* 189.