

Dispute Resolution Hotline

June 23, 2025

MODIFICATION OF AWARDS: INDIA'S SUPREME COURT REDEFINES SCOPE OF JUDICIAL INTERFERENCE

This article was first published in globalarbitrationreview.com (June, 20, 2025).



The Supreme Court of India in *Gayatri Balasamy v ISG Novasoft Technologies Limited* settled a longstanding issue in Indian arbitration law, i.e., whether courts can modify arbitral awards under the Arbitration and Conciliation Act, 1996.

While section 34 of the Act explicitly allows courts to "set aside" arbitral awards on specific grounds, it is silent on whether courts can "modify" or "vary" an award. This silence created uncertainty, with some courts interpreting their powers narrowly (allowing only complete setting aside of awards) and others adopting a more interventionist approach by modifying awards to correct perceived errors or to do complete justice. The judgment resolves conflicting judicial opinions and holds that while section 34 of the Act does not grant courts a general power to modify arbitral awards, there are limited circumstances where modification may be permissible.

Please click [here](#) for our detailed article.

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