

# Dispute Resolution Hotline

June 24, 2020

**INDIA—SUPREME COURT REFUSES ENFORCEMENT OF FOREIGN ARBITRAL AWARD FINDING UNDERLYING CONTRACT VOID (NATIONAL AGRICULTURAL COOPERATIVE MARKETING FEDERATION OF INDIA V ALIMENTA)**

This article was originally published in the 02<sup>nd</sup> June 2020 edition of LexisPSL Arbitration.

**Arbitration analysis:** In a case relating to an international commercial arbitration seated in London, the Supreme Court of India ruled that when the underlying contract is rendered void as a result of the operation of a contingency event contemplated by the contract, the enforcement of an arbitral award upholding such a contract would be contrary to the public policy of India. Vyapak Desai, Head of the International Dispute Resolution and Investigations at Nishith Desai Associates, Kshama Loya and Bhavana Sunder, members of the team, discuss this decision.

For complete article, please click [here](#).

— Bhavana Sunder, Kshama Loya Modani & Vyapak Desai  
You can direct your queries or comments to the authors

## DISCLAIMER

The contents of this hotline should not be construed as legal opinion. View detailed disclaimer.

This Hotline provides general information existing at the time of preparation. The Hotline is intended as a news update and Nishith Desai Associates neither assumes nor accepts any responsibility for any loss arising to any person acting or refraining from acting as a result of any material contained in this Hotline. It is recommended that professional advice be taken based on the specific facts and circumstances. This Hotline does not substitute the need to refer to the original pronouncements.

This is not a Spam mail. You have received this mail because you have either requested for it or someone must have suggested your name. Since India has no anti-spamming law, we refer to the US directive, which states that a mail cannot be considered Spam if it contains the sender's contact information, which this mail does. In case this mail doesn't concern you, please unsubscribe from mailing list.

## Research Papers

**Structuring Platform Investments in India For Foreign Investors**

March 31, 2025

**India's Oil & Gas Sector— at a Glance?**

March 27, 2025

**Artificial Intelligence in Healthcare**

March 27, 2025

## Research Articles

**2025 Watchlist: Life Sciences Sector India**

April 04, 2025

**Re-Evaluating Press Note 3 Of 2020: Should India's Land Borders Still Define Foreign Investment Boundaries?**

February 04, 2025

**INDIA 2025: The Emerging Powerhouse for Private Equity and M&A Deals**

January 15, 2025

## Audio

**CCI's Deal Value Test**

February 22, 2025

**Securities Market Regulator's Continued Quest Against "Unfiltered" Financial Advice**

December 18, 2024

**Digital Lending - Part 1 - What's New with NBFC P2Ps**

November 19, 2024

## NDA Connect

Connect with us at events, conferences and seminars.

## NDA Hotline

Click here to view Hotline archives.

## Video

**Vyapak Desai speaking on the danger of deepfakes | Legally Speaking with Tarun Nangia | NewsX**

April 01, 2025

**Vaibhav Parikh, Partner, Nishith  
Desai Associate on Tech, M&A, and  
Ease of Doing Business**

March 19, 2025

**SIAC 2025 Rules: Key changes &  
Implications**

February 18, 2025

---