

Dispute Resolution Hotline

April 01, 2019

GUIDANCE NOTE BETWEEN DIFC COURTS AND NDA ON MUTUAL RECOGNITION AND ENFORCEMENT OF CIVIL AND COMMERCIAL JUDGMENTS IN DIFC COURTS AND COURTS IN INDIA.

With approximately 66,000 firms owned by Indians and non-resident Indians in the UAE, and the bilateral trade exceeding \$53 billion last year (expected to reach \$100 Billion by 2020), the two nations have been more financially interconnected than ever before.

India and UAE entered into a bilateral treaty (*Agreement on Juridical and Judicial Cooperation in Civil and Commercial Matters for the Service of Summons, Judicial Documents, Commissions, Execution of Judgements and Arbitral Awards*) for mutual execution of judgments on 25 October 1999. The treaty although effective in UAE but has remained inoperative in India till date. As a result judgments from UAE Courts remain un-enforceable in India. A pro-bono effort was undertaken by NDA jointly with Dubai International Financial Centre ("DIFC") Courts to help parties seeking enforcement of such judgments. Subsequently, a Guidance Note was signed between DIFC Courts (through its Chief Justice Dr. Michael Hwang) and Nishith Desai Associates (through Mr. Moazzam Khan). This Guide provides a comprehensive practical guidance and innovate ways to parties seeking to enforce civil and commercial judgments in India and DIFC Courts. The DIFC Courts form part of the legal system of the UAE, which were established by Dubai Laws No. 9 and 12 of 2004.

The complete text of the Guidance Note is available [here](#).

– Shweta Sahu & Moazzam Khan

You can direct your queries or comments to the authors

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