

# Dispute Resolution Hotline

June 18, 2021

## THE ARBITRATION AND INSOLVENCY COLLISION: THE INDIAN PERSPECTIVE

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### SUMMARY

Alipak Banerjee and Payel Chatterjee of Nishith Desai Associates in their recent article titled “**The Arbitration and Insolvency Collision: the Indian Perspective**” examine the interplay of arbitration and insolvency laws. The article analyses the operation of the moratorium under the Insolvency and Bankruptcy Code, 2016 on the pending or fresh arbitral proceedings, the ability of the parties to the arbitration proceedings to participate in the insolvency resolution process, the treatment accorded to pending claims in the resolution plan, the impact of insolvency proceedings on enforcement actions, and finally, whether an arbitral award can be used as a credit to commence insolvency proceedings.

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

– Alipak Banerjee & Payel Chatterjee

You can direct your queries or comments to the authors

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