



INDIAN JOURNAL OF  
LEGAL REVIEW

VOLUME 6 AND ISSUE 5 OF 2026

INSTITUTE OF LEGAL EDUCATION



## INDIAN JOURNAL OF LEGAL REVIEW

APIS – 3920 – 0001 | ISSN – 2583-2344

(Open Access Journal)

Journal's Home Page – <https://ijlr.iledu.in/>

Journal's Editorial Page – <https://ijlr.iledu.in/editorial-board/>

Volume 6 and Issue 5 of 2026 (Access Full Issue on – <https://ijlr.iledu.in/volume-6-and-issue-5-of-2026/>)

### Publisher

Prasanna S,

Chairman of Institute of Legal Education

No. 08, Arul Nagar, Seera Thoppu,

Maudhanda Kurichi, Srirangam,

Tiruchirappalli – 620102

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## A STUDY ON THE ROLE OF COURTS IN GRANTING INTERIM RELIEF UNDER ARBITRATION AND CONCILIATION ACT, 1996

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**BEST CITATION** – R. RAKUL, A STUDY ON THE ROLE OF COURTS IN GRANTING INTERIM RELIEF UNDER ARBITRATION AND CONCILIATION ACT, 1996, INDIAN JOURNAL OF LEGAL REVIEW (IJLR), 6 (5) OF 2026, PG. 179-202, APIS – 3920 – 0001 & ISSN – 2583-2344.

### ABSTRACT

The Arbitration and Conciliation Act, 1996 was enacted to promote speedy and effective dispute resolution with minimal judicial intervention. However, the role of courts in granting interim relief has remained a crucial aspect in safeguarding the interests of parties during the pendency of arbitral proceedings. Interim relief serves as a protective mechanism to preserve the subject matter of the dispute, prevent irreparable harm, and ensure the enforceability of arbitral awards. The **aim** is to understand how judicial intervention supports the arbitral process while maintaining a balance between court supervision and arbitral autonomy. The **objectives** of the study is to analyze the role and scope of Indian courts in granting interim relief under the Arbitration and Conciliation Act, 1996 To study the limitations and challenges faced by courts and parties seeking interim relief, particularly in light of amendments and judicial precedents. The **methodology** adopts a doctrinal method of research. Primary sources include statutory provisions of the Arbitration and Conciliation Act, 1996, and landmark judicial decisions of the Supreme Court and various High Courts. The **findings** reveal that Courts play a vital protective role by granting interim relief to prevent frustration of arbitral proceedings. Judicial interpretation has evolved to limit excessive court intervention and encourage tribunal-led interim measures under Section 17. In **conclusion**, The role of courts in granting interim relief under the Arbitration and Conciliation Act, 1996 is both necessary and supportive in nature. While arbitration aims to reduce judicial interference, court intervention in interim matters remains crucial for safeguarding the interests of parties and ensuring the effectiveness of the arbitral process.

**KEYWORDS:** Arbitration and Conciliation Act, 1996, Interim Relief, Judicial Intervention, Arbitral Autonomy, Alternative Dispute Resolution.

### INTRODUCTION:

Arbitration has emerged as a preferred mode of alternative dispute resolution due to its flexibility, confidentiality, and efficiency. In India, arbitration is governed by the Arbitration and Conciliation Act, 1996, which is based on the UNCITRAL Model Law. While arbitration aims to minimize judicial intervention, the role of courts remains crucial, particularly in granting interim relief to protect the rights and interests of parties during the pendency of arbitral proceedings. Interim relief serves as a

protective mechanism to prevent irreparable harm, preserve the subject matter of the dispute, and ensure the effectiveness of the arbitral process. Under the Act, courts are empowered to grant interim measures before, during, and after arbitral proceedings, especially under Section 9. Despite the growing autonomy of arbitral tribunals under Section 17, courts continue to play a significant role in ensuring justice and fairness. **Aim** of this study is to analyze the role and significance of courts in granting interim relief under the Arbitration and Conciliation Act, 1996, and to assess how

judicial intervention supports or affects the efficiency of the arbitral process. The **objective** is to analyze the role and scope of Indian courts in granting interim relief under the Arbitration and Conciliation Act, 1996. To study the limitations and challenges faced by courts and parties seeking interim relief, particularly in light of amendments and judicial precedents. **Evolution** of the topic that the enactment of the 1996 Act, arbitration in India was governed by the Arbitration Act, 1940, which allowed extensive court interference, often causing delays. The 1996 Act marked a significant shift by adopting international arbitration standards and restricting judicial intervention. Initially, courts were the primary authority for granting interim relief. However, recognizing the need to empower arbitral tribunals, amendments particularly the 2015 Amendment strengthened Section 17, making tribunal-granted interim measures enforceable like court orders. Subsequent amendments in 2019 and 2021 further clarified procedural aspects, emphasizing efficiency and party autonomy. **Factors Affecting** the topic were existence of a valid arbitration agreement, Prima facie case in favour of the applicant, Balance of convenience, Likelihood of irreparable injury, Urgency of the relief sought, Stage of arbitral proceedings, Availability and effectiveness of relief from the arbitral tribunal. **Government Initiatives** are Enactment of the Arbitration and Conciliation (Amendment) Acts of 2015, 2019, and 2021, Establishment of the Arbitration Council of India, Promotion of institutional arbitration, Emphasis on making India a global arbitration hub, Reduction of court intervention and fast-tracking dispute resolution. **Current Trends** is Courts encourage parties to seek interim relief from arbitral tribunals first, Increased reliance on Section 17 post-2015 amendment, Courts act cautiously to avoid over-interference, Emphasis on enforcing arbitral autonomy and party consent, Use of interim relief to preserve assets and prevent abuse of process. **COMPARISON** India allows broader court intervention under Section 9, but recent reforms and judgments

show a shift toward limited and supportive judicial involvement, similar to global standards. United Kingdom's courts grant interim relief only when tribunals lack power or are unable to act effectively. Judicial intervention is minimal.

#### OBJECTIVES:

- To analyze the role and scope of Indian courts in granting interim relief under the Arbitration and Conciliation Act, 1996
- To study the limitations and challenges faced by courts and parties seeking interim relief, particularly in light of amendments and judicial precedents.
- To suggest measures for ensuring minimal court interference while safeguarding parties' interests.

#### LITERATURE REVIEW :

**1.P. Ramaswamy (1999)** Ramaswamy's work is one of the earliest scholarly works **aimed** at addressing interim measures under the Arbitration and Conciliation Act, 1996, particularly in the context of international commercial arbitration. The **objective** of the study was to examine the legal vacuum created by Section 9 of the Act concerning arbitrations seated outside India. The research followed a doctrinal **methodology**, relying on statutory interpretation, UNCITRAL Model Law principles, and judicial precedents. The major **variables** examined included territorial jurisdiction, applicability of Part I of the Act, and judicial authority to grant interim relief. The **findings** revealed that Indian courts adopted a restrictive approach, refusing interim protection when the seat of arbitration was foreign, thereby defeating the purpose of interim measures. The study **concluded** that such an interpretation weakened India's arbitration framework and emphasized the need for legislative reform and judicial openness to ensure effective interim protection in cross-border disputes.

**2.Malhotra, O. P. (1999)** Malhotra's study **aimed** at a comprehensive examination of interim relief under the Arbitration and Conciliation Act,

1996, focusing on judicial discretion exercised under Section 9. The primary **objective** was to analyze how courts balanced urgency and fairness while granting interim measures. The **methodology** adopted was doctrinal, involving an extensive review of statutory provisions, arbitration principles, and early judicial decisions. Key **variables** included irreparable injury, balance of convenience, prima facie case, and the stage of arbitral proceedings. The **findings** showed that courts frequently relied on principles derived from the Civil Procedure Code, 1908, leading to procedural rigidity and delays. The study **concluded** that while judicial intervention was necessary to protect parties' interests, excessive reliance on traditional civil law principles undermined arbitration's objective of speedy dispute resolution. Malhotra recommended clearer statutory guidance to harmonize judicial discretion with arbitral autonomy.

**3. (Bhatia, 2004)** Bhatia **aimed** a critical examination of interim relief mechanisms in domestic and international arbitration under Indian law. The research **objective** was to assess whether the Indian courts' interpretation of Section 9 facilitated or hindered international arbitration. The **methodology** was doctrinal, incorporating comparative legal analysis between Indian arbitration law and international arbitration practices. Key **variables** included court jurisdiction, seat of arbitration, and scope of interim protection. **Findings** that judicial overreach, particularly in foreign-seated arbitrations, created uncertainty for international parties. The **conclusion** emphasized that judicial intervention should be harmonized with global arbitration standards to maintain India's credibility as an arbitration-friendly jurisdiction.

**4. (Srikrishna, 2006)** Justice B.N. Srikrishna's **aimed** work analyzed the balance between judicial oversight and arbitral independence in granting interim relief. The **objective** of the study was to examine whether courts were fulfilling their supportive role without encroaching upon arbitral tribunals' authority.

The **methodology** followed a doctrinal approach, reviewing statutory provisions, judicial interpretations, and international arbitration principles. **Variables** included judicial discretion, tribunal competence, and urgency of relief. The **findings** suggested that Indian courts often stepped in due to perceived inefficiencies of arbitral tribunals. The study **concluded** that strengthening arbitral institutions and limiting judicial interference would improve confidence in arbitration as an effective dispute resolution mechanism.

**5. (Shah, 2008)** Shah's study **aimed** at procedural challenges associated with interim relief granted by courts under the Arbitration and Conciliation Act, 1996. The **objective** was to analyze the practical impact of Section 9 orders on arbitration proceedings. The **methodology** included doctrinal research and analysis of reported cases across Indian courts. **Variables** such as delay, misuse of interim applications, and procedural fairness were examined. **Findings** indicated that parties frequently used interim relief applications as a delaying tactic, burdening courts and prolonging disputes. The study **concluded** that procedural safeguards and stricter scrutiny of Section 9 petitions are necessary to prevent abuse while ensuring effective interim protection.

**6. (Singh, 2010)** Singh's study **aimed** at increasing reliance on courts for interim relief under Section 9 of the Arbitration and Conciliation Act, 1996. The primary **objective** was to evaluate whether judicial intervention at the interim stage promotes fairness or delays arbitration proceedings. The study adopted a doctrinal research **methodology**, examining statutory provisions and judicial decisions of High Courts and the Supreme Court. **Variables** included judicial discretion, urgency of relief, party autonomy, and arbitral efficiency. The **findings** revealed that courts often grant interim relief to prevent irreparable harm but fail to impose strict timelines, resulting in procedural delays. The study **concluded** that while interim relief plays a crucial protective role, courts must adopt a balanced approach to

ensure that arbitration remains expeditious and effective.

**7. (Nariman, 2012)** Nariman's scholarly work **aimed** at the interpretation of Section 9 in light of India's commitment to the UNCITRAL Model Law. The **objective** of the study was to assess whether Indian courts were adhering to international arbitration norms while granting interim measures. The **methodology** was doctrinal and comparative, analyzing Indian case law alongside foreign judicial practices. **Variables** examined included court jurisdiction, enforceability of interim orders, and compatibility with arbitral tribunal powers. The **findings** indicated inconsistency in judicial reasoning, particularly in cases involving international commercial arbitration. The study **concluded** that legislative amendments and judicial discipline are necessary to align Indian arbitration law with global best practices and reduce excessive court intervention.

**8. (Rao, 2014)** Rao's research **aimed** at the procedural impact of court-granted interim relief on arbitration timelines. The **objective** was to identify whether Section 9 applications contribute to delay or enhance dispute resolution outcomes. The **methodology** employed doctrinal research supported by case analysis from multiple High Courts. **Variables** included frequency of interim applications, duration of court proceedings, and effect on arbitral autonomy. The **findings** showed that while interim relief protects parties' rights, repetitive applications significantly prolong dispute resolution. The study **concluded** that courts should limit interim relief to exceptional circumstances and encourage arbitral tribunals to exercise their own interim powers under Section 17.

**9. (Chatterjee, 2015)** Chatterjee's study **aimed** at shifting judicial attitude towards interim relief following increased arbitration reforms in India. The **objective** was to analyze whether courts had adopted a pro-arbitration stance while exercising powers under Section 9. The **methodology** was doctrinal, involving analysis

of post-2010 judicial trends. **Variables** included judicial restraint, institutional arbitration growth, and enforceability of interim orders. **Findings** indicated gradual judicial awareness of arbitration autonomy, though inconsistencies persisted across jurisdictions. The study **concluded** that judicial training and specialized commercial courts could enhance uniformity in granting interim relief and reduce arbitration-related litigation.

**10. (Menon, 2016)** Menon's research critically **aimed** at Arbitration and Conciliation (Amendment) Act, 2015, and its impact on court-granted interim relief. The **objective** was to assess whether the amendment successfully reduced court intervention by strengthening tribunal powers under Section 17. The **methodology** included doctrinal analysis and comparative evaluation of pre- and post-amendment case law. **Variables** studied were tribunal competence, court discretion, and enforcement mechanisms. **Findings** showed that although the amendment empowered tribunals, parties continued to approach courts due to trust deficits in arbitral institutions. The study **concluded** that institutional reforms are essential to reduce dependence on courts for interim relief.

**11. (Sharma, 2017)** Sharma's study critically **aimed** at the post-2015 arbitration regime in India with particular emphasis on the role of courts in granting interim relief under Section 9 of the Arbitration and Conciliation Act, 1996. The **objective** of the research was to assess whether judicial intervention had decreased following legislative reforms aimed at strengthening arbitral tribunals. The study adopted a doctrinal research **methodology** involving analysis of statutory amendments and judicial pronouncements of the Supreme Court and High Courts. Key **variables** included judicial discretion, enforcement of tribunal-ordered interim measures, and procedural efficiency. The **findings** revealed that although courts acknowledged the intent of the 2015 Amendment, inconsistent application continued. The study **concluded** that a uniform

judicial approach is essential to ensure that interim relief serves its protective purpose without undermining arbitral independence.

**12. (Mehta, 2018)** Mehta's research **aimed** at the comparative effectiveness of interim relief granted by courts under Section 9 and by arbitral tribunals under Section 17. The **objective** was to determine whether parties preferred court intervention despite statutory empowerment of arbitral tribunals. The **methodology** was doctrinal and analytical, examining reported cases and arbitration practices. **Variables** included enforceability, time efficiency, and party confidence in tribunals. The **findings** demonstrated that litigants often approached courts due to perceived enforceability advantages and judicial authority. The study **concluded** that strengthening institutional arbitration and ensuring swift enforcement of tribunal orders could reduce overdependence on courts for interim relief.

**13. (Iyer, 2019)** Iyer's study **aimed** at judicial discretion in granting interim relief and its compatibility with the principle of minimal court intervention. The **objective** was to analyze whether Indian courts were adhering to Section 5 of the Arbitration and Conciliation Act, 1996, which mandates limited judicial interference. The **methodology** followed a doctrinal research approach, analyzing Supreme Court judgments and legislative intent. **Variables** included judicial restraint, arbitral autonomy, and urgency of interim protection. The **findings** indicated that courts often justified intervention on grounds of equity and justice, sometimes exceeding statutory limits. The study **concluded** that clearer judicial guidelines are necessary to harmonize interim relief with arbitration principles.

**14. (Patel, 2020)** Patel's research **aimed** at the impact of judicial delay in granting interim relief on the effectiveness of arbitration proceedings. The **objective** was to assess whether court-granted interim relief contributes to arbitration efficiency or procedural stagnation. The

**methodology** was doctrinal, supplemented by empirical observations from arbitration practitioners. **Variables** included delay duration, procedural complexity, and impact on arbitral timelines. **Findings** revealed that prolonged court proceedings often defeated the purpose of interim protection. The study **concluded** that expedited hearings and specialized arbitration benches are essential to ensure timely and effective interim relief.

**15. (Kumar, 2021)** Kumar's study **aimed** at evolving the role of commercial courts in granting interim relief under the Arbitration and Conciliation Act, 1996. The **objective** was to examine whether specialized commercial courts improved consistency and efficiency in Section 9 applications. The **methodology** involved doctrinal research and analysis of commercial court decisions across India. **Variables** included judicial expertise, procedural efficiency, and enforcement mechanisms. The **findings** suggested improved case management but highlighted continuing jurisdictional inconsistencies. The study **concluded** that further institutional specialization and judicial training would enhance the effectiveness of interim relief in arbitration.

**16. (Gupta, 2022)** Gupta's study **aimed** at the effectiveness of judicial intervention in granting interim relief under the Arbitration and Conciliation Act, 1996, in the context of India's evolving arbitration landscape. The primary **objective** was to analyze whether courts have successfully balanced the need for interim protection with the principle of minimal judicial interference. The research adopted a doctrinal **methodology**, analyzing recent Supreme Court and High Court decisions post-commercial court reforms. Key **variables** included urgency of relief, enforcement mechanisms, arbitral tribunal competence, and judicial efficiency. The **findings** revealed that courts increasingly emphasize arbitral autonomy but continue to intervene in high-stakes commercial disputes. The study **concluded** that while judicial support remains necessary, courts must consistently

defer to arbitral tribunals once constituted, ensuring arbitration remains an effective alternative dispute resolution mechanism.

**17. (Verma, 2022)** Verma's research **aimed** at the role of courts in granting interim relief in international commercial arbitration seated in India. The **objective** was to assess whether Indian courts have aligned with global arbitration standards while exercising Section 9 powers. The study followed a doctrinal and comparative research **methodology**, examining Indian case law alongside international arbitration practices. **Variables** included enforceability of interim orders, jurisdictional competence, and party autonomy. The **findings** indicated progressive judicial interpretation but highlighted uncertainty in cross-border disputes. The study **concluded** that greater harmonization with international arbitration norms is required to strengthen India's position as a global arbitration hub.

**18. (Sengupta, 2023)** Sengupta's study **aimed** at the impact of judicial intervention at the interim stage on arbitration efficiency and party confidence. The **objective** was to evaluate whether frequent court involvement discourages parties from opting for arbitration. The research **methodology** employed doctrinal analysis supported by practitioner insights. **Variables** included frequency of Section 9 applications, duration of proceedings, and arbitral tribunal effectiveness. The **findings** showed that excessive reliance on courts often undermines arbitration's core objective of speedy dispute resolution. The study **concluded** that judicial restraint and improved institutional arbitration practices are essential to restore confidence in arbitration.

**19. (Nair, 2024)** Nair's research **aimed** at the recent judicial trends in granting interim relief following digitalization and procedural reforms in Indian courts. The **objective** was to assess whether technological advancements have improved the speed and consistency of Section 9 proceedings. The **methodology** was doctrinal,

focusing on recent judgments and procedural innovations. **Variables** included case management efficiency, digital hearings, and enforcement timelines. **Findings** indicated that digital reforms have reduced delays but inconsistencies in judicial discretion persist. The study **concluded** that procedural standardization and technology-driven case management can significantly enhance the effectiveness of court-granted interim relief.

**20. (Reddy, 2025)** Reddy's study **aimed** at the future role of courts in granting interim relief in arbitration amid growing emphasis on institutional arbitration in India. The **objective** was to analyze whether courts will transition from interventionist to facilitative roles. The research followed a doctrinal and policy-oriented **methodology**, analyzing recent reforms and judicial pronouncements. **Variables** included institutional arbitration growth, judicial workload, and tribunal competence. The **findings** suggested a gradual shift toward reduced court intervention. The study **concluded** that sustained judicial restraint and institutional strengthening are crucial for ensuring that interim relief supports, rather than hinders, arbitration proceedings.

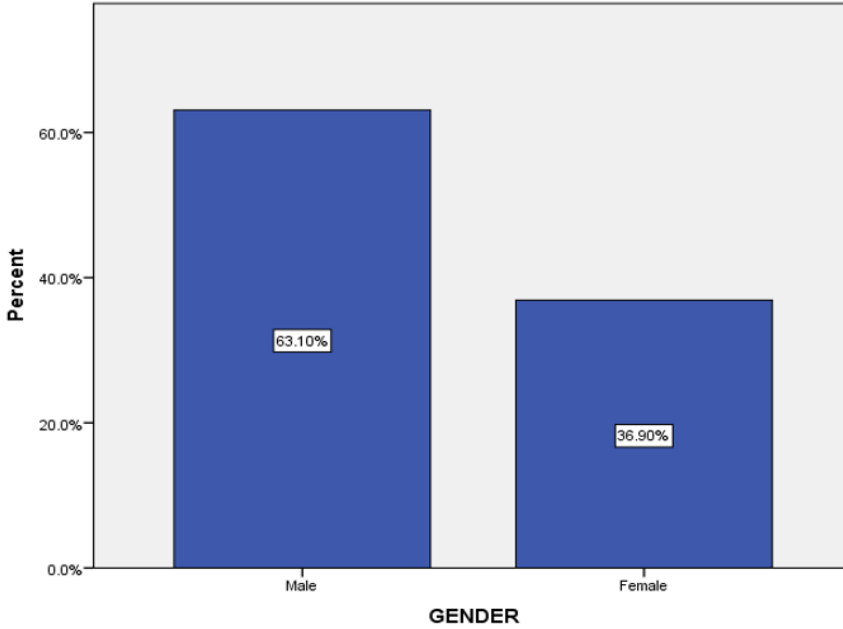
#### METHODOLOGY :

The research method followed here is **descriptive** research. The sample size of **203** samples have been taken out of which is taken through **convenient** sampling. The sampling frame taken by the researcher using google forms in and around Aravind eye hospital in Chennai. The **independent variables** used are age, - gender, educational qualification ,occupation, place of residence. The **dependent variables** are Circumstances where court can intervene in the ADR process , Challenges associated with court intervention in ADR , Court intervention is necessary in the ADR process to ensure fairness , Should court have a limited role in granting interim relief under the arbitration and Conciliation Act.

**DATA ANALYSIS:**

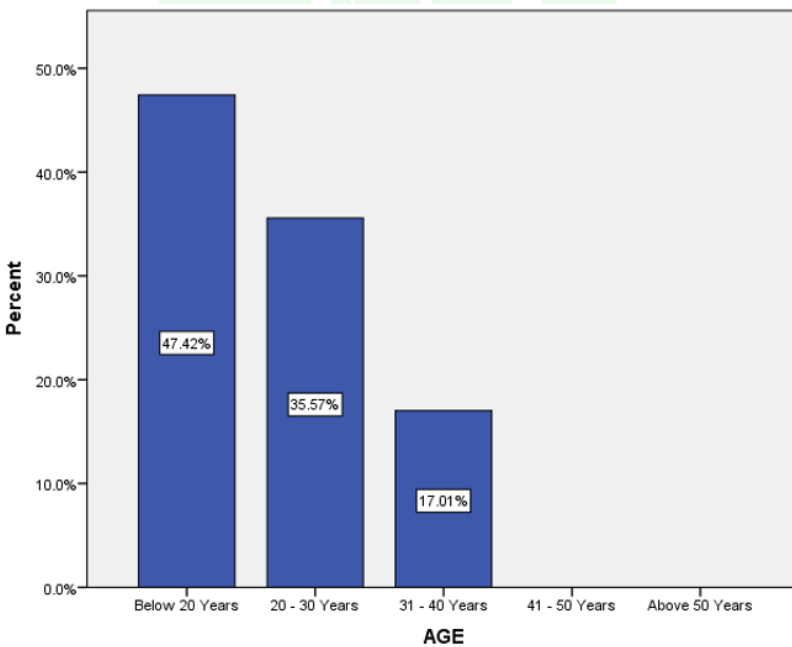
**ANALYSIS:**

**Figure 1**



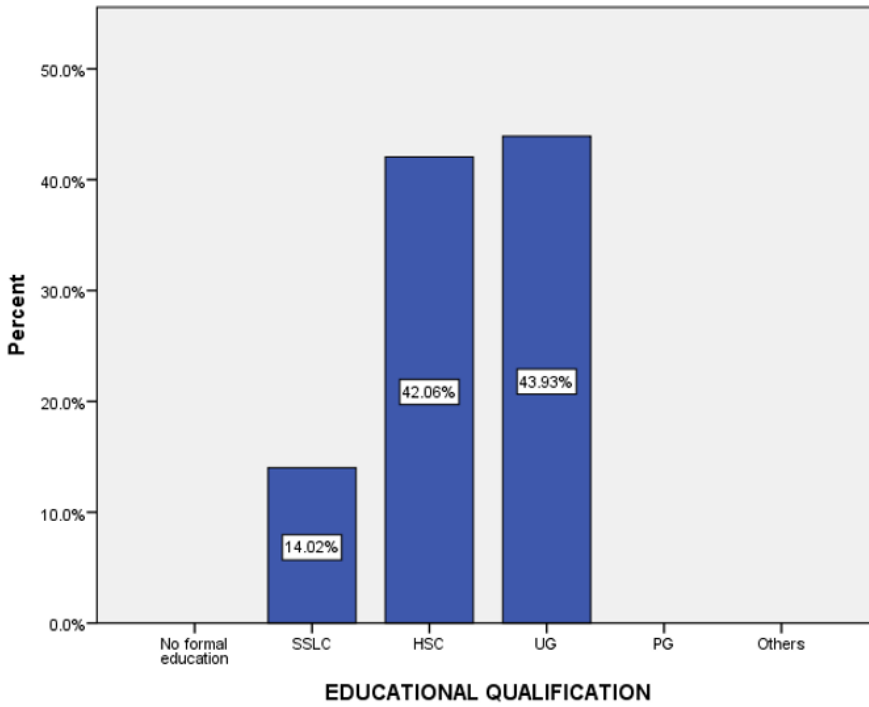
**Legend:** Figure 1 represents the overall gender of the respondents.

**Figure 2**



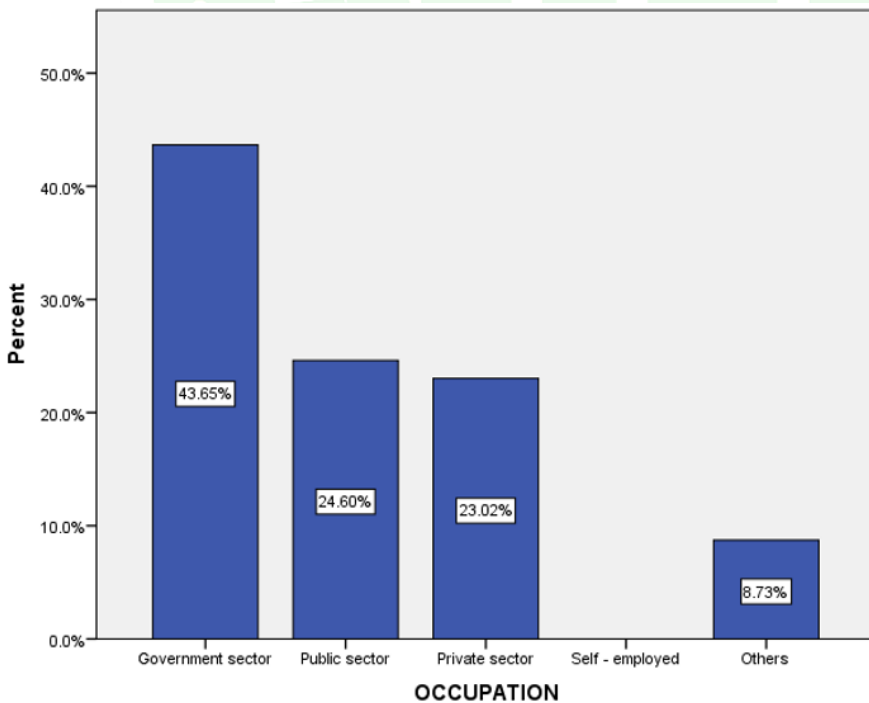
**Legend:** Figure 2 represents the overall age of the respondents.

Figure 3



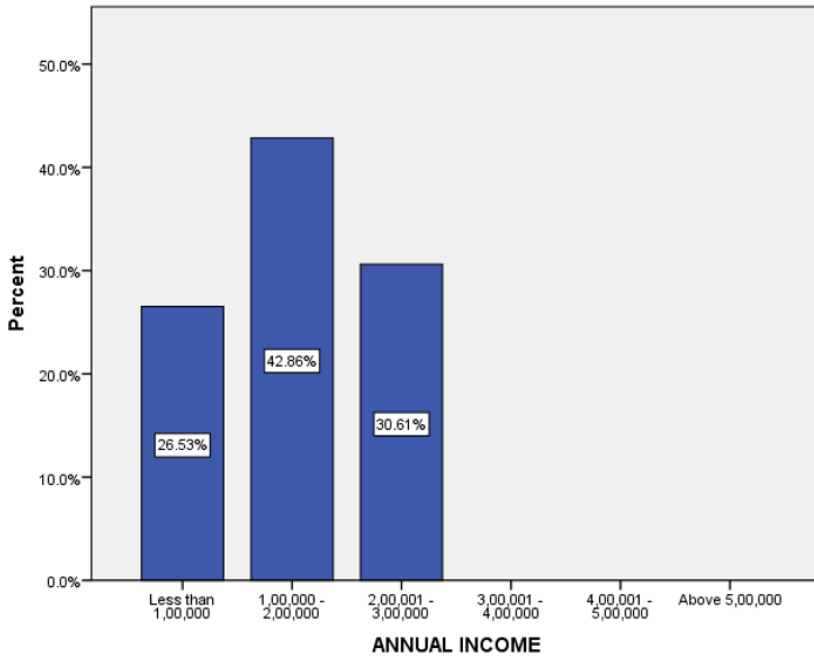
**Legend:** Figure 3 represents the overall educational qualification of the respondents.

Figure 4



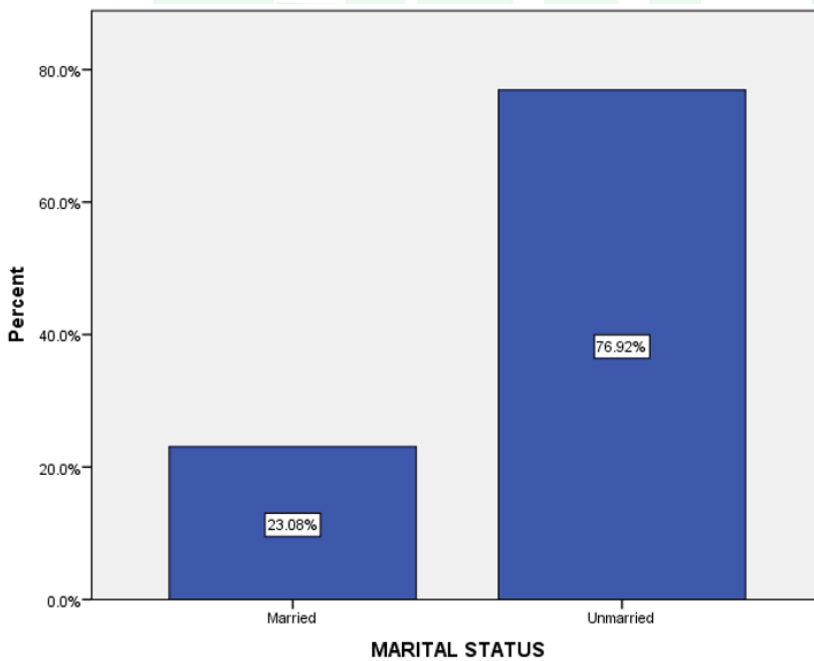
**Legend:** Figure 4 represents the overall occupation of the respondents.

Figure 5



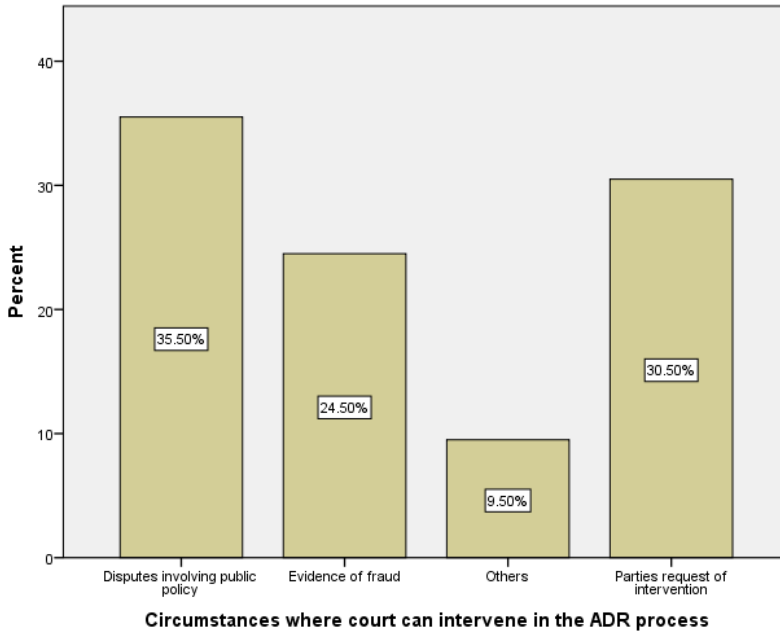
**Legend:** Figure 5 represents the overall annual income of the respondents.

Figure 6



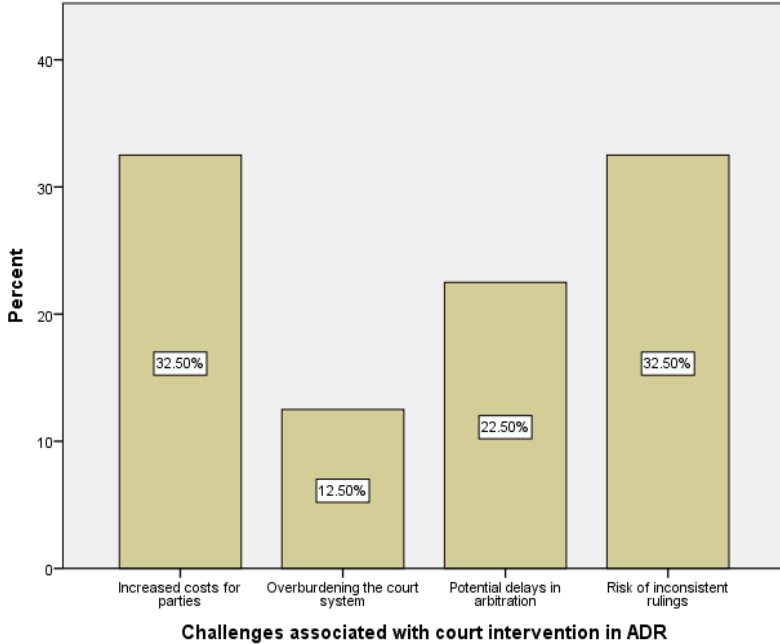
**Legend:** Figure 6 represents the overall marital status of the respondents.

Figure 7



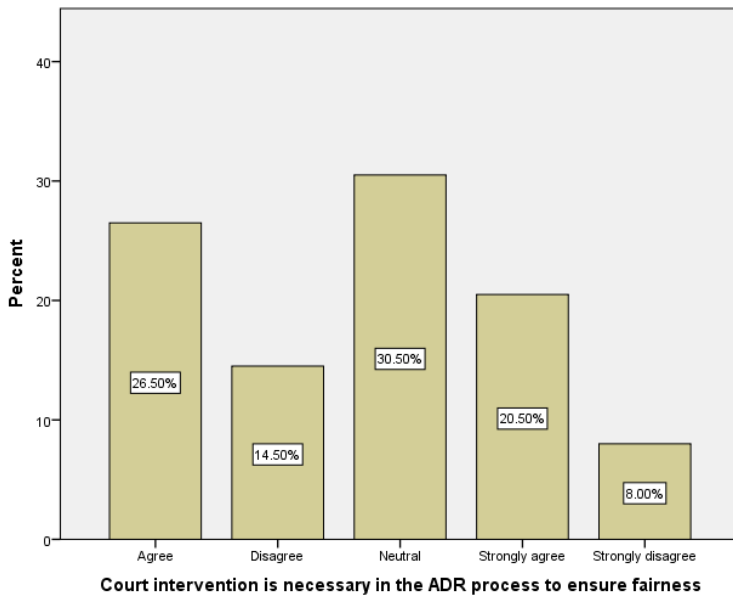
**LEGEND:** Fig 7 represents response to the question, Circumstances where court can intervene in the ADR process

Figure 8



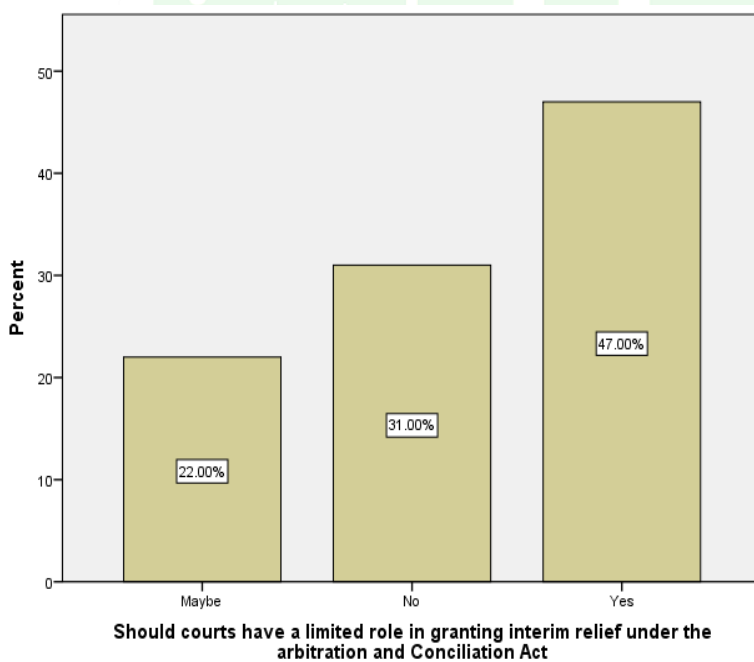
**LEGEND:** Fig 8 represents response to the question, Challenges associated with court intervention in ADR

**Figure 9**



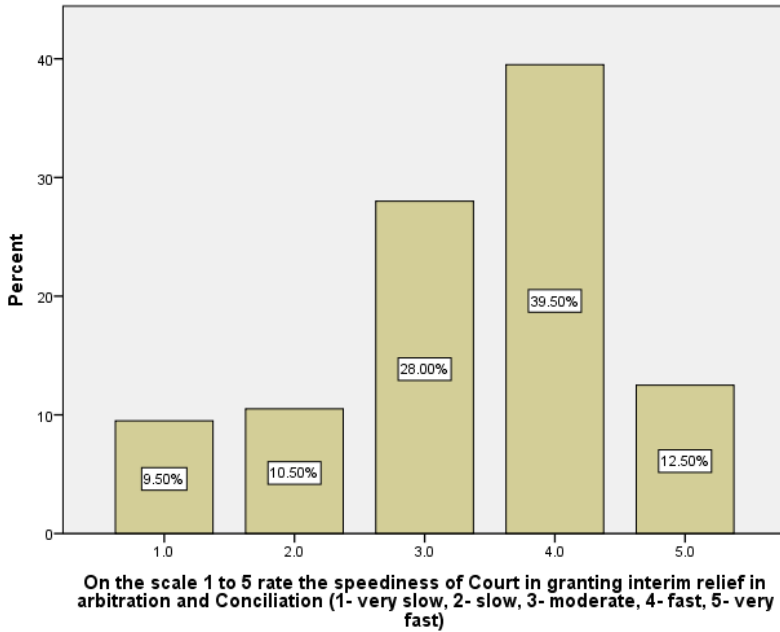
**LEGEND:** Fig 9 represents response to the question, Court intervention is necessary in the ADR process to ensure fairness

**Figure 10**



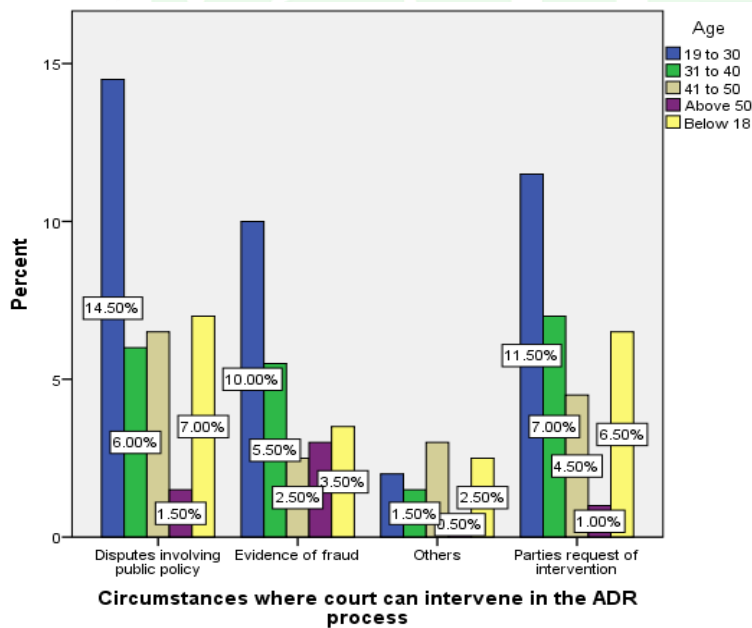
**LEGEND:** Fig 10 represents response to the question, Should courts have a limited role in granting interim relief under the arbitration and Conciliation Act

Figure 11



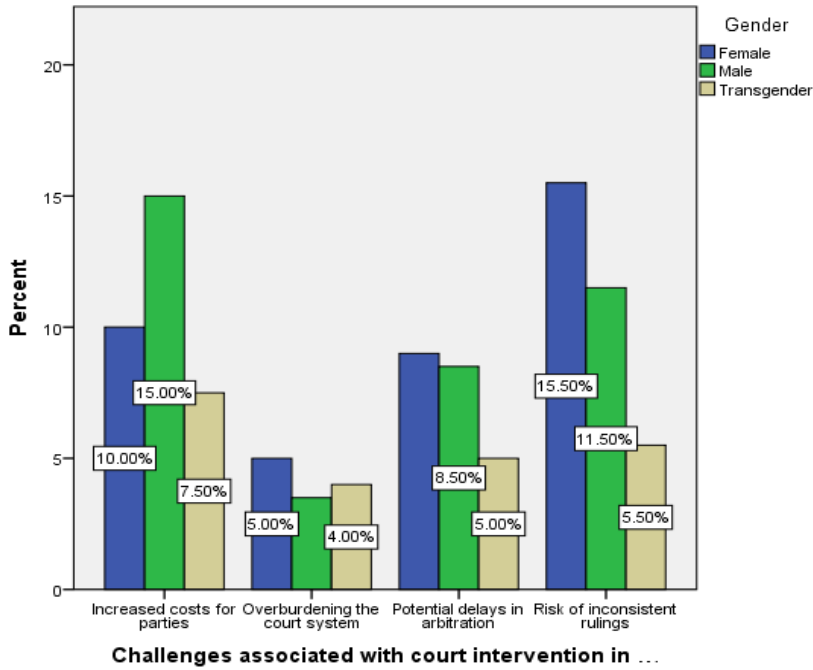
**LEGEND:** Fig 11 represents response to the question, On the scale 1 to 5 rate the speediness of Court in granting interim relief in arbitration and Conciliation

Figure 12



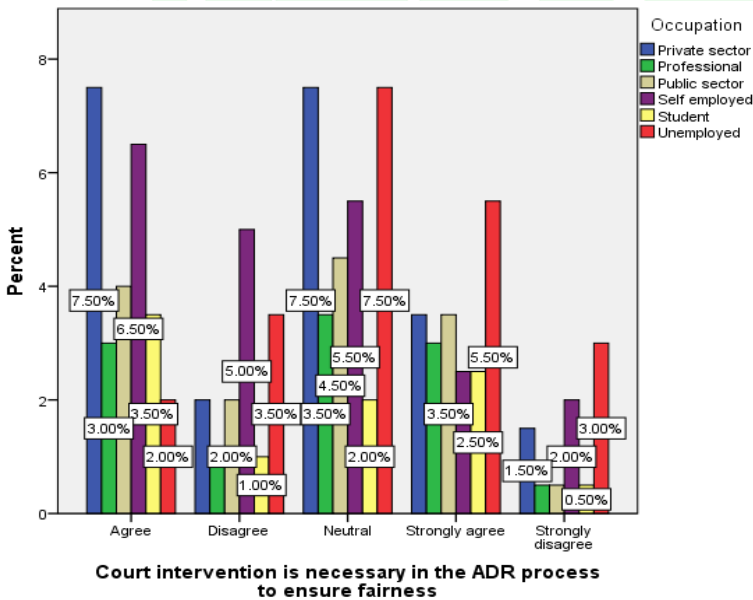
**LEGEND:** Fig 12 represents response to the question, Circumstances where court can intervene in the ADR process

Figure 13



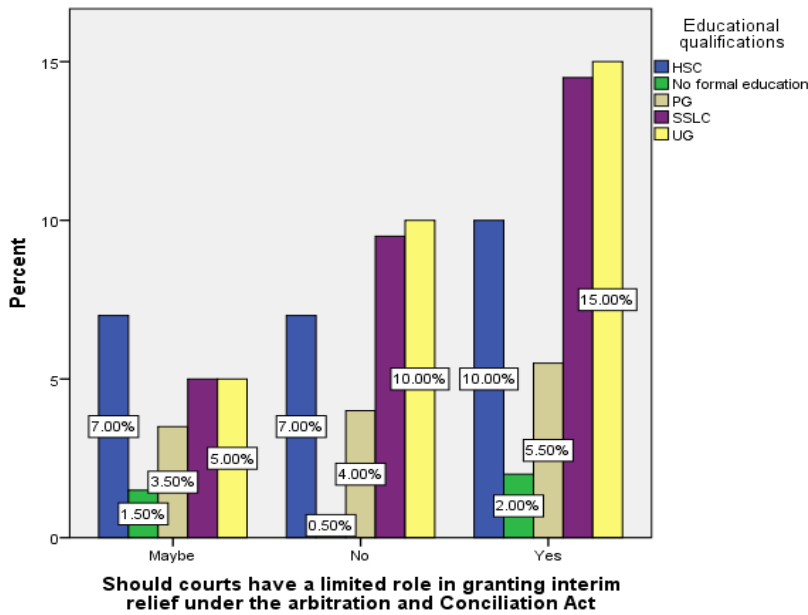
**LEGEND:** Fig 13 represents response to the question, Challenges associated with court intervention in ADR

Figure 14



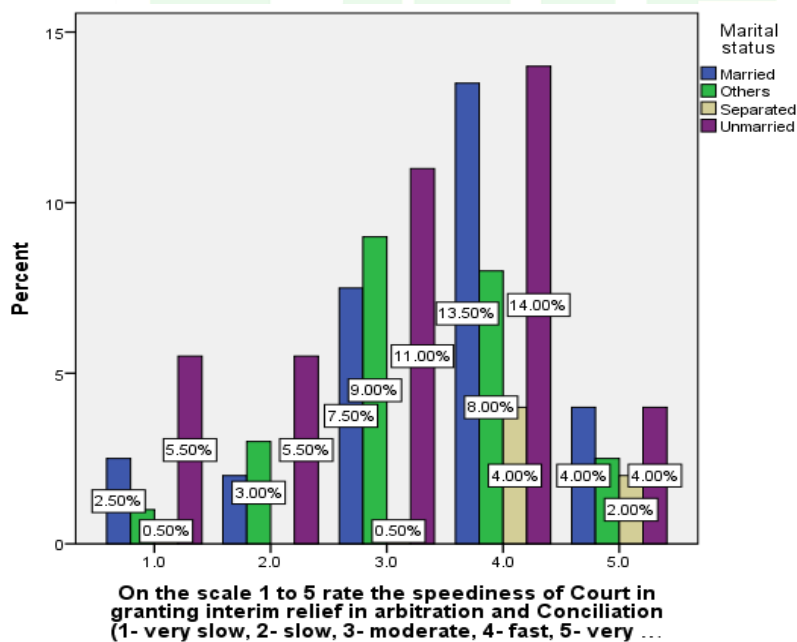
**LEGEND:** Fig 14 represents response to the question, Court intervention is necessary in the ADR process to ensure fairness

Figure 15



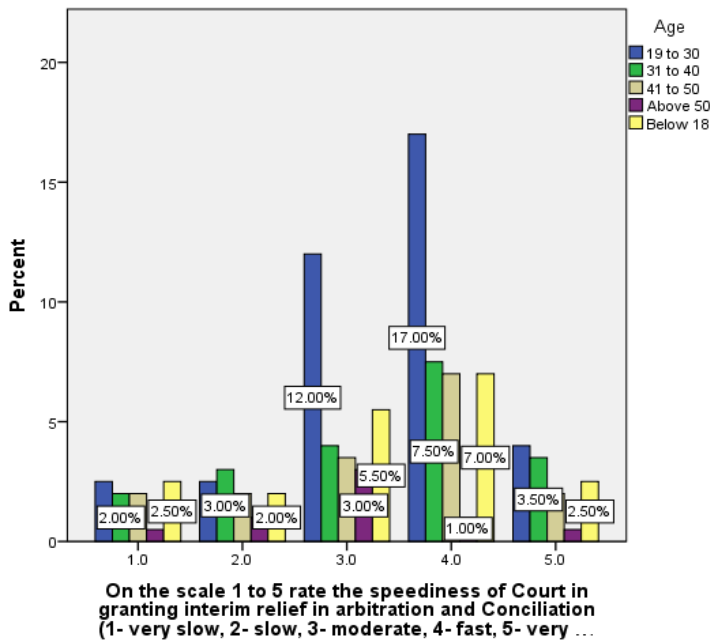
**LEGEND:** Fig 15 represents response to the question, Should courts have a limited role in granting interim relief under the arbitration and Conciliation Act

Figure 16



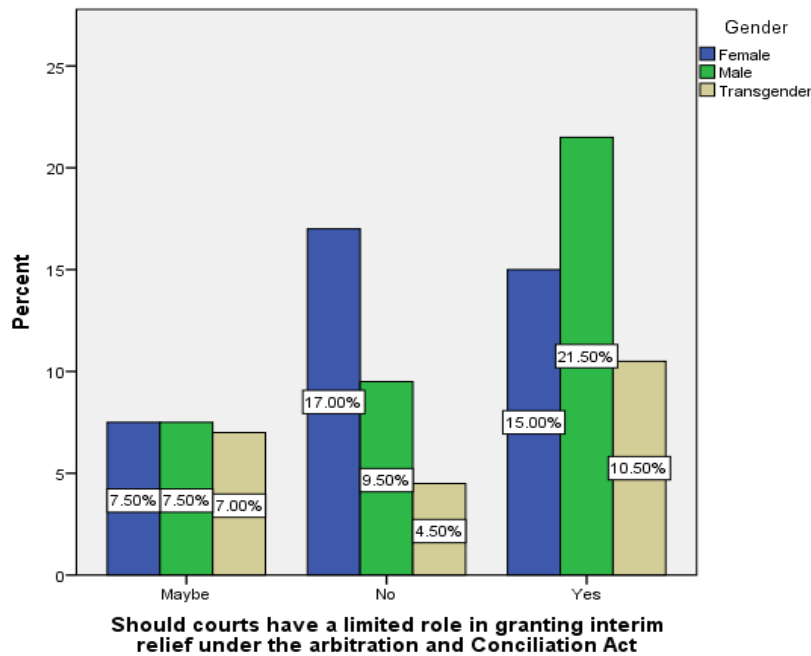
**LEGEND:** Fig 16 represents response to the question, On the scale 1 to 5 rate the speediness of Court in granting interim relief in arbitration and Conciliation

Figure 17



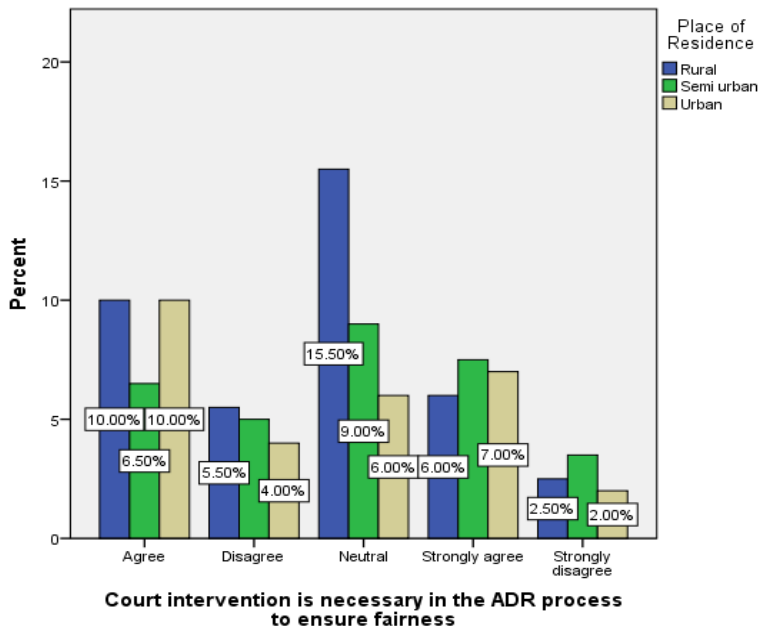
**LEGEND:** Fig 17 represents response to the question, On the scale 1 to 5 rate the speediness of Court in granting interim relief in arbitration and Conciliation

Figure 18



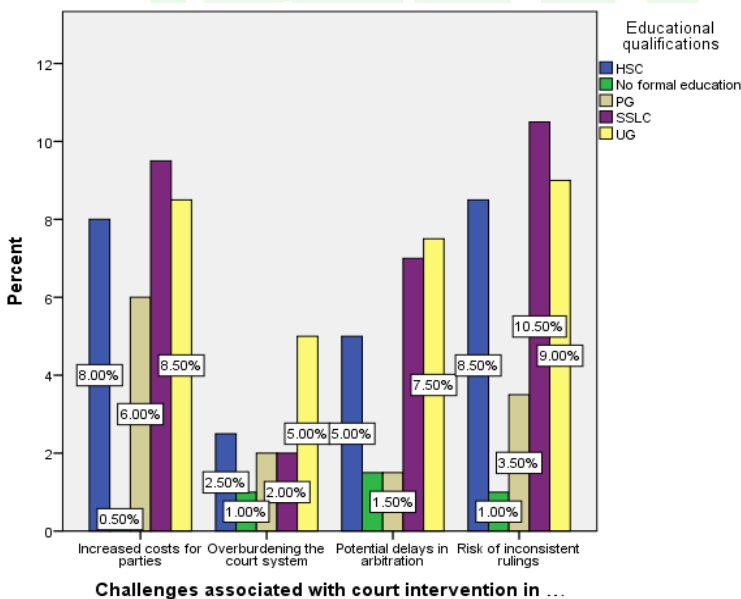
**LEGEND:** Fig 18 represents response to the question, Should courts have a limited role in granting interim relief under the arbitration and Conciliation Act

Figure 19



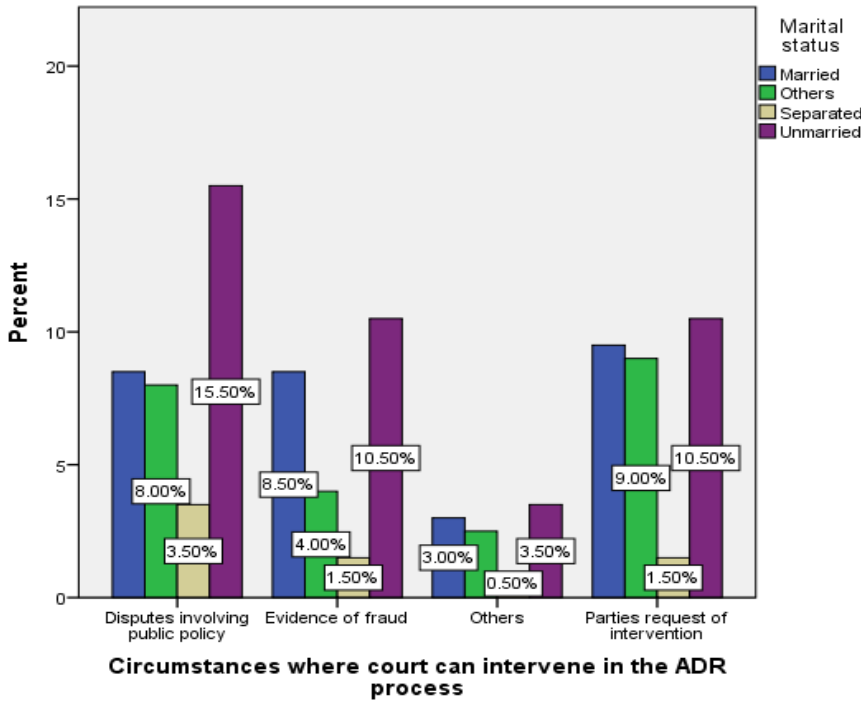
**LEGEND:** Fig 19 represents response to the question, Court intervention is necessary in the ADR process to ensure fairness

Figure 20



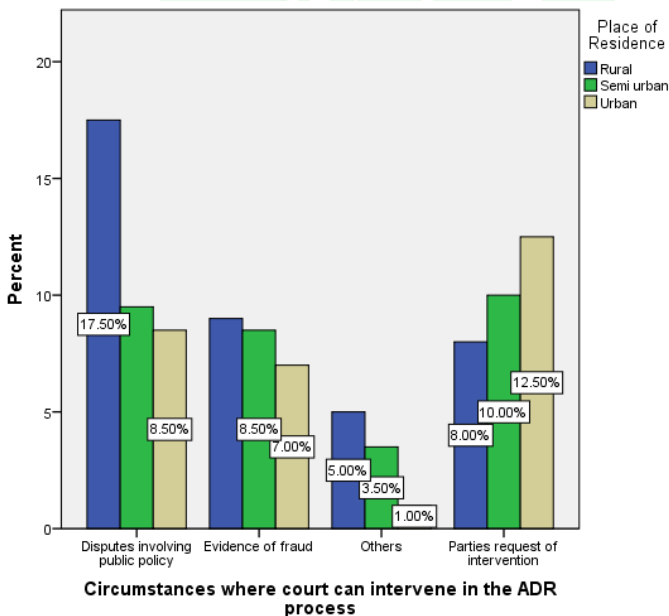
**LEGEND:** Fig 20 represents response to the question, Challenges associated with court intervention in ADR

Figure 21



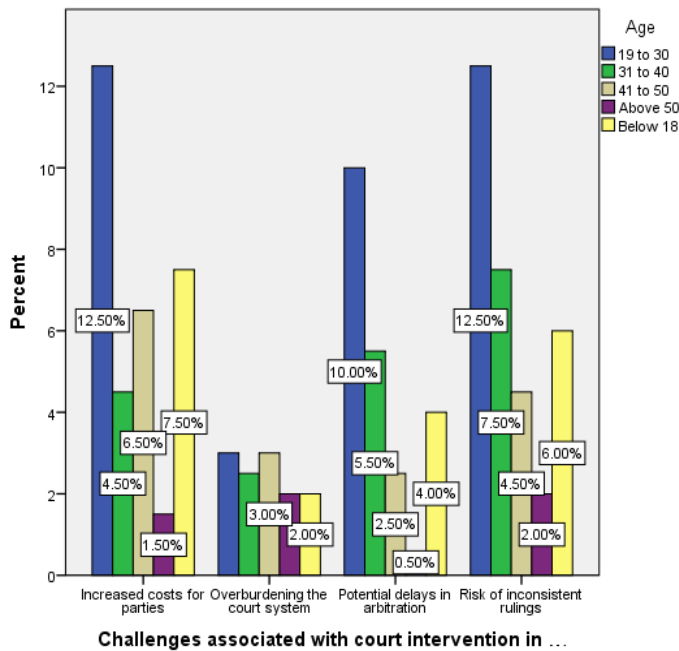
**LEGEND:** Fig 21 represents response to the question, Circumstances where court can intervene in the ADR process

Figure 22



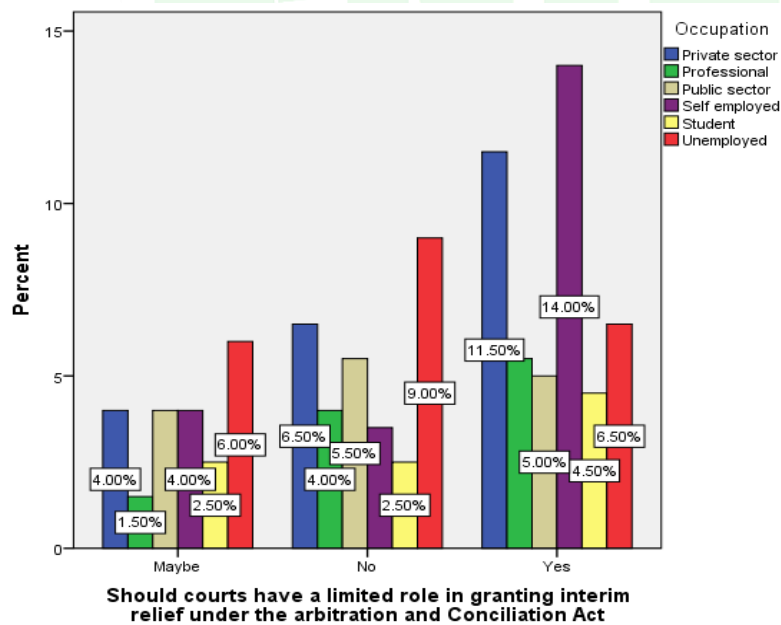
**LEGEND:** Fig 22 represents response to the question, Circumstances where court can intervene in the ADR process

Figure 23



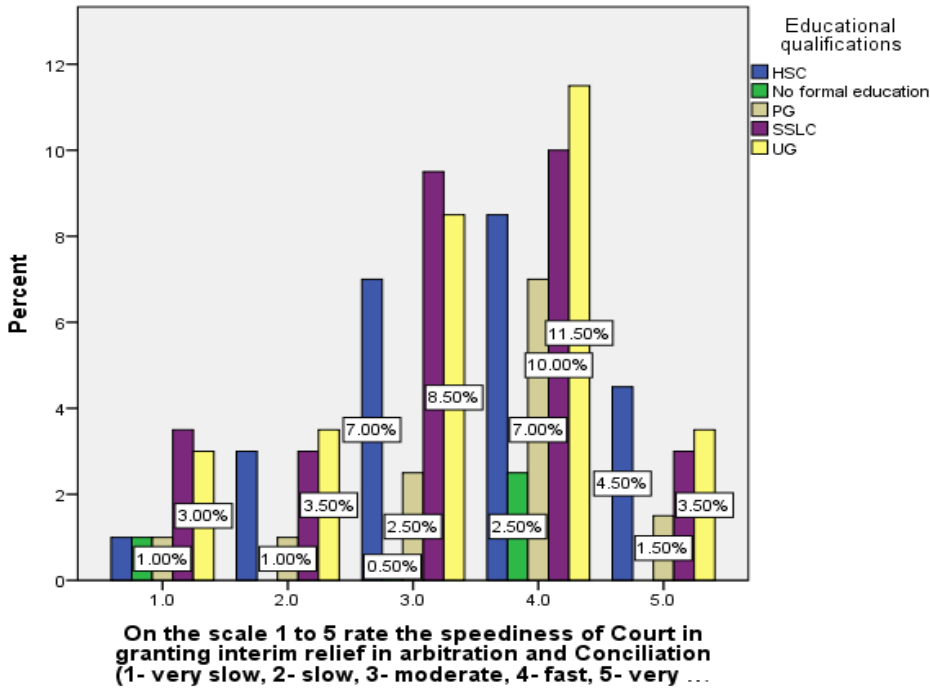
**LEGEND:** Fig 23 represents response to the question, Challenges associated with court intervention in ADR

Figure 24



**LEGEND:** Fig 24 represents response to the question, Should courts have a limited role in granting interim relief under the arbitration and Conciliation Act

Figure 25



**LEGEND:** Fig 25 represents response to the question, On the scale 1 to 5 rate the speediness of Court in granting interim relief in arbitration and Conciliation

**RESULT:**

**FIGURE 1:** In this bar chart where most of the male have responded around 63.10 and females have responded around 36.90%. **FIGURE 2:** In this bar chart where the age group of below 18 years have responded around 47.42% and 20-30 years have responded around 35.57%. **FIGURE 3:** In this bar chart where the most of the responses are from the undergraduate students around 43.93%. **FIGURE 4:** In this bar chart where the most of them are from the government sector around 43.65% and public sector around 24.60%. **FIGURE 5:** In this bar chart the income is around 1,00,000 of 42.86% and 2,00,000 of which is 30.61%. **FIGURE 6:** In this bar chart where the marital status is, most of them are Unmarried around 76.92% and married around 23.08%. **FIGURE 7:** 35.50 % of respondents showed disputes involving public policy, 24.50 % of respondents chose evidence of fraud, 9.50 % of them chose others, 30.50 % of respondents chose parties' requests for intervention. **FIGURE 8:** 32.50 % of respondents showed increased cost for parties, 12.50 % of them chose over burning the court system,

22.50 % chose potential delays in arbitration, 32.50 % chose risk of inconsistent rulings. **FIGURE 9:** 26.50 % of respondents chose agree, 14.50 % of them chose disagree, 30.50 % of them chose neutral, 20.50 % of them chose strongly agree, 8 % shows strongly disagree **FIGURE 10:** 22 % of respondents shows maybe, 31 % of respondents chose no, 47 % chose yes **FIGURE 11:** 9.50 % of respondents shows one, 10.50 % shows two, 28 % chose three, 39.50 % shows four, 12.50 % chose five **FIGURE 12:** 28 % of respondents chose disputes involving public policy, 20 % of respondents chose evidence of fraud, four % of respondents, chose others, 30 % of respondents chose parties request of intervention. **FIGURE 13:** 32.50 % of correspondence shows increased cost for parties, nine % of respondents chose over boarding the court system, 13.50 % chose potential delays in arbitration, 30.50 % shows risk risk of inconsistent rulings **FIGURE 14:** 22 % of respondents show agree, 11.50 % of respondents disagree, 27.50 % chose neutral, 12 % of respondents strongly agree, 7% chose strongly disagree. **FIGURE 15:** 17 % of respondents chose maybe, 21.50 % of respondents chose no, 32.50

% of respondents chose yes **FIGURE 16:** 8.50 % of respondents shows 1, three % shows two, 16.5 % shows three, 25.50 % shows four, 10 % shows five **FIGURE 17:** two % chose one, five % chose two, 19.5 % chose three, 32.50 % shows four, six % shows five **FIGURE 18:** 22 % shows maybe, 30.50 % chose no, 37 % chose yes. **FIGURE 19:** 25.50 % show agree, 9.50 % show disagree, 30 % chose neutral, 13 % chose strongly agree, four. Five % strongly disagree. **FIGURE 20:** 22 % shows increased cost for parties, 10 % chose over boarding the court system, 13.50 % shows potential delays in arbitration, 31 % shows risk of inconsistent rulings. **FIGURE 21:** 27 % of respondents chose disputes involving public policy, 24 % chose evidence of fraud, 6.50 % showed others, 21 % chose parties request of intervention. **FIGURE 22:** 22 % disputes involving public policy, 15.50 % chose evidence of fraud, 9.50 % shows others, 30.50 % shows parties request of intervention **FIGURE 23:** 32 % of respondents shows increased cost for parties, five % shows overburdening the court system, 22 % shows potential delays in arbitration, 32 % shows risk of inconsistent rulings **FIGURE 24:** 17.50 % charge may be, 26 %, no, 46 % of respondents chose yes **FIGURE 25:** four % of respondents shows one, 4.5 % chose to, 18 % chose three, 31 % showed four, nine % showed five.

#### DISCUSSION:

**FIGURE 1:** In this graph the majority of the respondents are male when compared to female respondents. This skewed gender representation suggests that males are more actively participating or are more accessible in responding to issues related to arbitration and court intervention. The dominance of male respondents may also reflect existing gender disparities in legal awareness, professional exposure, or engagement with dispute resolution mechanisms. **FIGURE 2:** In this graph most of the respondents belong to the age group below 20 years. This shows a significant participation of younger individuals, likely students, indicating growing awareness and

interest among youth regarding arbitration and legal processes. The findings suggest that early legal education and exposure to alternative dispute resolution mechanisms are influencing opinions at a formative stage. **FIGURE 3:** In this graph the majority of respondents are undergraduate students. This reflects that the sample is largely composed of individuals at the initial stages of higher education. Their responses may be shaped by academic learning rather than practical experience, indicating theoretical understanding of arbitration and judicial intervention rather than exposure through professional practice. **FIGURE 4:** In this graph most respondents are associated with the government sector. This suggests that individuals working or studying within government-related institutions are more engaged with or concerned about arbitration and court involvement. Their responses may reflect institutional perspectives emphasizing legality, public policy, and procedural safeguards. **FIGURE 5:** This graph shows that a majority of respondents earn between ₹1,00,000 and ₹2,00,000 annually. This income range indicates a middle-income group, which may influence perceptions of arbitration costs, accessibility, and affordability. Concerns regarding increased expenses in arbitration proceedings may be more pronounced among this demographic. **FIGURE 6:** In this graph most respondents are unmarried. This demographic factor suggests fewer personal legal obligations and may explain a more neutral or academic approach to dispute resolution issues. The responses are likely influenced by educational exposure rather than personal dispute experiences. **FIGURE 7:** This graph demonstrates that a significant proportion of respondents (35.50%) believe that court intervention occurs due to disputes involving public policy. Additionally, 30.50% feel that parties themselves seek court intervention, while 24.50% point to evidence of fraud. This indicates that respondents recognize multiple legitimate grounds where judicial involvement becomes necessary despite arbitration agreements.

**FIGURE 8:** This graph shows an equal concern for increased costs and the risk of inconsistent rulings, each at 32.50%. This suggests that respondents perceive arbitration-related court intervention as potentially undermining efficiency and consistency. Lesser concern regarding delays and court burden implies that cost and unpredictability are viewed as more pressing challenges. **FIGURE 9:** This graph reveals a divided level of agreement among respondents, with 30.50% remaining neutral. However, a combined 46% agreeing or strongly agreeing indicates an overall inclination towards acceptance of the stated proposition. This suggests cautious approval, possibly reflecting uncertainty due to limited practical exposure. **FIGURE 10:** This graph indicates that 47% of respondents believe the scenario is feasible, while 31% disagree. This reflects a generally positive outlook towards the practicality of the concept discussed, although a notable section remains skeptical, highlighting the need for clearer frameworks or implementation mechanisms. **FIGURE 11:** This graph shows that 39.50% of respondents identify four issues, suggesting that disputes under arbitration are multi-dimensional. This reinforces the perception that arbitration-related disputes often involve overlapping legal, procedural, and policy considerations. **FIGURE 12:** This graph highlights that disputes involving public policy (28%) and requests for court intervention (30%) are predominant. This emphasizes the central role courts play in safeguarding public interest and ensuring fairness, even within arbitration proceedings. **FIGURE 13:** This graph reflects notable concerns over increased costs (32.50%) and inconsistent rulings (30.50%). These concerns indicate that respondents view excessive court interference as potentially defeating the objectives of arbitration, such as speed and cost-effectiveness. **FIGURE 14:** This graph shows varied levels of agreement, with a higher tendency towards neutrality (27.50%) followed by agreement (22%). This distribution suggests uncertainty or lack of strong opinions, possibly

due to limited awareness or mixed judicial precedents. **FIGURE 15:** This graph shown in Figure 15, 32.50% of respondents support the proposition, while a substantial portion remains uncertain. This reflects cautious optimism, indicating that while respondents recognize benefits, they may also be aware of practical limitations. **FIGURE 16:** This graph indicates that the most common response is four issues (25.50%), suggesting that respondents generally perceive a moderate number of challenges in arbitration-related disputes. This highlights the complexity involved without portraying the system as entirely inefficient. **FIGURE 17:** This graph shows that four issues are most frequently identified (32.50%). This consistency across figures strengthens the finding that arbitration disputes often involve multiple interconnected challenges. **FIGURE 18:** This graph reveals that 37% of respondents answered “yes,” reflecting a more positive outlook toward the subject. This suggests a growing confidence in arbitration mechanisms, particularly when supported by limited judicial oversight. **FIGURE 19:** This graph presents mixed responses, with 30% of respondents remaining neutral. However, a slight inclination towards agreement suggests moderate acceptance, possibly reflecting balanced views between arbitration autonomy and judicial intervention. **FIGURE 20:** This graph reiterates that increased costs (31%) and inconsistent rulings (31%) remain dominant concerns. This consistency across multiple figures underscores the perceived drawbacks of excessive court involvement in arbitration. **FIGURE 21:** This graph highlights public policy disputes (27%) and evidence of fraud (24%) as major concerns. This indicates that respondents acknowledge the necessity of court intervention in safeguarding public interest and preventing misuse of arbitration. **FIGURE 22:** This graph emphasizes public policy (22%) and intervention requests (30.50%), while concerns over fraud appear comparatively lower. This suggests that respondents prioritize procedural legitimacy and policy considerations over isolated

instances of misconduct. **FIGURE 23:** This graph shows that increased costs and inconsistent rulings dominate concerns at 32%, reinforcing earlier findings. This repetition confirms that efficiency-related issues are central to perceptions of arbitration challenges. **FIGURE 24:** This graph shows strong support, with 46% responding “yes,” indicating overall confidence in the subject discussed. This reflects trust in arbitration mechanisms when supported by appropriate judicial supervision. **FIGURE 25:** This graph reveals that four issues (31%) again emerge as the most common response. This reinforces the conclusion that arbitration disputes are complex but manageable, requiring balanced court intervention rather than excessive interference.

**LIMITATION:** Indian courts in different states may interpret provisions of the Arbitration and Conciliation Act, 1996 differently, creating challenges in compiling consistent data or drawing uniform conclusions. One of the critical issues with interim relief is the delay in its grant, which can undermine the relief’s purpose. Interim relief orders are not always published or easily accessible, making it difficult to collect comprehensive data on the trends and reasoning behind such judicial decisions.

**SUGGESTION:** To reduce reliance on courts, promoting more robust pre-arbitral emergency relief mechanisms like emergency arbitration could be considered, limiting the need for judicial intervention. Further study should emphasize gathering empirical data on the duration, success rate, and impact of interim relief in arbitration cases, which can provide practical insights into the efficiency of the system.

## CONCLUSION

The Arbitration and Conciliation Act, 1996, seeks to minimize judicial intervention while ensuring adequate legal protection through court-granted interim relief under provisions such as Section 9. The role of courts in granting interim relief is therefore crucial, as it aims to safeguard the interests of parties during the pendency of

arbitral proceedings without undermining the essence of arbitration. The primary **objectives** of this study were to examine the scope and necessity of judicial intervention in granting interim relief, to analyze how courts balance arbitral autonomy with judicial oversight, to identify practical challenges in the implementation of interim relief provisions, and to assess the impact of judicial delays and jurisdictional inconsistencies on the effectiveness of arbitration in India. The major **findings** reveal that courts play a pivotal protective role by preventing irreparable harm and preserving the subject matter of disputes before the final arbitral award. However, excessive or inconsistent judicial intervention often leads to delays, defeating the purpose of arbitration as a speedy dispute resolution mechanism. Future **scope** research may focus on a comparative analysis of interim relief mechanisms in international arbitration regimes and their applicability in the Indian context. Empirical studies on the effectiveness of tribunal-granted interim measures, the role of emergency arbitrators, and the impact of recent amendments to the Arbitration and Conciliation Act, 1996, would provide deeper insights. Further research can also explore technological interventions and specialized arbitration courts to enhance efficiency. In **conclusion**, while courts remain an essential safeguard in granting interim relief under the Arbitration and Conciliation Act, 1996, their role must be carefully balanced to preserve the autonomy and efficiency of arbitral proceedings. By reducing judicial delays, ensuring consistency, and promoting arbitration-friendly reforms, India can strengthen its arbitration ecosystem. Achieving this balance will enhance confidence in arbitration as a reliable and effective mechanism for resolving commercial disputes, thereby contributing to the overall development of the legal and business environment in India.

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