

MONTHLY

NEWSLETTER



AUGUST 2026

REGISTRAR'S MESSAGE

Dear Readers,

August has been an important month for the dispute resolution community and an especially significant one for IAMC Hyderabad.

The developments covered in this edition remind us that arbitration continues to evolve through the constant interaction between courts, tribunals, institutions and parties. Questions concerning efficiency, jurisdiction, enforcement and procedural fairness remain at the heart of that evolution. For arbitral institutions, these developments reinforce an important responsibility: to ensure that dispute resolution remains not only legally robust, but also efficient, accessible and responsive to the needs of its users.

As institutional ADR grows by leaps and bounds in the world, India is still taking baby steps towards it. Trust, credibility and efficiency lie at the heart of the question – will India develop a credible institutional ADR system? The legal community in India is slowly waking up to the multi-fold advantages of institutional ADR.

For IAMC, the month was marked by meaningful engagement both in India and internationally. We were pleased to host the final rounds of the inaugural Virtual Mediation Advocacy Competition 2026, providing young practitioners an opportunity to develop the skills required for effective mediation advocacy along with our partners SettleWise Now.

A particular highlight was IAMC Hyderabad's participation in Singapore Convention Week 2026, where we hosted seven events in collaboration with leading institutions and law firms. These engagements brought together practitioners and experts from different jurisdictions to exchange perspectives on contemporary issues in mediation, arbitration and cross-border dispute resolution.

Such collaborations are important because the future of dispute resolution cannot be built in isolation. As commerce becomes increasingly cross-border, institutions must work together to create greater trust, certainty and efficiency in the resolution of disputes. IAMC remains committed to contributing to that process while strengthening Hyderabad's position as an important centre for international dispute resolution.

I hope this edition provides useful insights into some of the developments shaping our field, and I thank our partners, colleagues, contributors and the editorial team for their continued support.

Warm regards,
CEO & Registrar
International Arbitration and Mediation Centre (IAMC), Hyderabad

INTERNATIONAL NEWS

1. Russia Appoints Former CJI D.Y. Chandrachud as Arbitrator in Oschadbank Treaty Case

Russia has appointed former Chief Justice of India D.Y. Chandrachud as its party-appointed arbitrator in a new investment treaty claim brought by Ukrainian state-owned bank Oschadbank. The three-member tribunal, hearing the claim under the 1998 Ukraine-Russia bilateral investment treaty, is headed by Costa Rican arbitrator Dyalá Jiménez as president, with Greek arbitrator Stavros Brekoulakis appointed by Oschadbank; the dispute concerns assets and operations the bank says it lost in Donetsk, Luhansk, Kherson and Zaporizhzhia after Russia's 2022 invasion, in a claim reportedly worth hundreds of millions of dollars. Justice Chandrachud had previously declined two earlier approaches from Russia to arbitrate claims brought by Wintershall Dea and Ukrenergo, stepping down as the Permanent Court of Arbitration's appointing authority in the Wintershall case after disclosing those approaches, making his decision to accept this appointment notable. [Read more](#)

3. France Enacts First Major Arbitration Law Overhaul Since 2011

Decree No. 2026-741, published in France's Official Journal on 7 August, substantially modernises French domestic and international arbitration law, transposing much of a March 2025 ministerial report into the Code of Civil Procedure. The reform clarifies what qualifies as an "arbitration centre" and introduces a general efficiency principle requiring parties and arbitrators to adopt procedures proportionate to the complexity and stakes of the dispute. It is the first substantial revision of French arbitration law since 2011. [Read more](#)

5. Ukraine Presses D.C. Circuit to Reject Tatneft's Appeal Over Stayed \$173 Million Award

On 24 August, Ukraine urged the D.C. Circuit to dismiss an appeal by Russian oil major Tatneft, which is seeking to lift a years-long stay on its efforts to enforce a confirmed USD 173 million arbitral award against the country. Ukraine argued that its own domestic law currently prohibits it from paying the award, resisting Tatneft's push to unfreeze enforcement proceedings that have been paused since Russia's invasion. [Read more](#)

2. Singapore Court Dismisses Tata Power's Challenge to \$640 Million Award

On 26 August, the Singapore International Commercial Court dismissed every application by Tata Power Company Ltd. to overturn arbitration awards won by investor Kleros Capital Partners over a collapsed Russian coal-mining bid. The SICC found that the tribunal had not breached natural justice or the right to a fair hearing, rejecting Tata Power's arguments on apparent bias and on unaddressed issues of causation, remoteness, and mitigation. With interest and costs, Tata Power's total liability now exceeds USD 640 million, close to the company's entire FY26 profit after tax, and it has 28 days from 26 August to appeal to the Singapore Court of Appeal. [Read more](#)

4. Argentina Seeks Rehearing Over \$391 Million Aerolíneas Argentinas Award

On 21 August, Argentina petitioned the D.C. Circuit for en banc rehearing, challenging the court's ruling that a 12-year statute of limitations, rather than a 3-year one, governs enforcement of ICSID awards in the US. Argentina's petition argues that the panel's decision conflicts with governing precedent in a dispute over a USD 390-million-plus award tied to the 2008 renationalisation of Aerolíneas Argentinas and Austral Líneas Aéreas, now held by the litigation-finance vehicle Titan Consortium. [Read more](#)

6. Hong Kong Court Refuses to Enforce Mainland Award Over Settlement Authority

The Hong Kong Court of First Instance in *K v JX* [2026] HKCFI 2854 set aside an earlier order granting leave to enforce a Mainland Chinese arbitral award on public policy grounds. The Court found that the underlying settlement agreement had been signed on JX's behalf by a person without authority to do so, and that K and his representative had no reason to believe otherwise; in a follow-up ruling, the Court granted K leave to appeal. [Read more](#)

DOMESTIC NEWS

1. Supreme Court Applies Home Care Retail Marts to Uphold Post-Award Section 9 Relief for a Losing Party

On 12 August, a bench of Justices K.V. Viswanathan and Alok Aradhe upheld a Delhi High Court order directing National Projects Construction Corporation Ltd. (NPCC) to deposit ₹3.5 crore realised by invoking bank guarantees. The Court relied on its earlier ruling in Home Care Retail Marts Pvt. Ltd. v. Haresh N. Sanghavi, holding that the distinction between a winning and losing party does not by itself determine access to Section 9 relief, though such post-award intervention remains confined to rare and compelling cases. [Read more](#)

3. Supreme Court Flags Doubt Over Pre-Deposit Arbitration Clauses, Seeks Larger Bench Reference

On 17 August, a bench of Justices Manoj Misra and Manmohan asked the Chief Justice of India to consider whether a larger bench should reexamine the validity of contract clauses that require a party to deposit a percentage of its claim before it can invoke arbitration. The bench said it was "prima facie in agreement" with the Court's 2016 ruling in ICOMM Tele v. Punjab State Water Supply Board (which struck down such clauses as arbitrary) rather than the earlier three-judge ruling in S.K. Jain v. State of Haryana (which upheld them), but held it could not itself overturn a larger bench's precedent. It framed six specific questions for a possible larger bench, including whether pre-deposit conditions violate Section 18's equal-treatment mandate and Article 14 of the Constitution, and whether frivolous claims can instead be deterred through costs orders under Section 31(8). [Read more](#)

5. Punjab and Haryana High Court: Arbitral Award Can Be Executed Wherever the Debtor's Assets Are Located

Dismissing a writ petition by the Union of India against Triveni Constructions, Justice Jasgurpreet Singh Puri held that an arbitral award is not a decree of any particular court and can therefore be executed before any court where the judgment-debtor's assets are located, regardless of where the award was passed. Relying on the Supreme Court's rulings in Sundaram Finance v. Abdul Samad and Cheran Properties v. Kasturi and Sons, the Court rejected the argument that execution was restricted to the seat of arbitration. The ruling gives award-holders considerably more flexibility in choosing where to pursue recalcitrant judgment-debtors. [Read more](#)

2. Arbitrators Move Supreme Court After Rajasthan HC Cuts Their Fees Over Delay; Bench Says "Delay Is Too Much"

Arbitrators hearing a long-running dispute involving HCL Infosystems approached the Supreme Court after the Rajasthan High Court ordered a 5% cut to their fees, citing prolonged delay in the proceedings. Hearing the matter on 21 August, Justice Joymalya Bagchi, sitting with CJI Surya Kant and Justice V. Mohana, allowed the arbitration to continue but restrained the tribunal from pronouncing or uploading its final award, while separately voicing concern that arbitration meant to be an efficient, cost-effective alternative to litigation had instead dragged on for years across 198 hearings. [Read more](#)

4. Supreme Court Stays Bombay HC Order Enforcing Arbitral Award Against CDSL

On 7 August, a bench of Justices J.B. Pardiwala and K. Vinod Chandran stayed a Bombay High Court order that had upheld an arbitral award directing Central Depository Services (India) Ltd. (CDSL) to pay ₹86.02 lakh with interest to an investor for losses caused by a broker's misuse of her pledged demat shares. The bench issued notice on CDSL's Special Leave Petition, returnable on 10 September 2026, observing that it needed to closely examine the matter before the High Court's order could take effect. [Read more](#)

6. Delhi High Court: NHAI Waived Jurisdictional Objection by Participating in Arbitration Without Timely Protest

On 11 August, Justice Prateek Jalan dismissed NHAI's Section 34 challenge to a December 2021 award directing it to pay KNR Constructions Ltd. 10% annual interest, compounded monthly, on price-adjustment dues under a national highway contract in Odisha. The Court agreed with NHAI that the reconstituted tribunal had technically erred in treating the second round of proceedings as a mere continuation of an earlier, already-concluded arbitration, but held that NHAI could not raise this jurisdictional objection after the fact, since it had knowingly participated, filed its defence, and even asked the tribunal to proceed once the mandate question was raised during the hearing. [Read more](#)

IAMC EVENTS

- 31 JULY 2026** **IAMC participated in CPMC 2026**
The Commonwealth Peace Mediation Conference (CPMC) 2026 was held in Jaipur from 31 July to 2 August 2026, bringing together judges, lawyers, mediators, and policymakers to discuss developments in mediation and the rule of law. Mr. Jawad, Registrar, IAMC Hyderabad, participated as a speaker in Session 3: "From Retribution to Restoration – Reimagining Justice through Mediation in Criminal Law."
- 2 AUG 2026**
- 7 AUG 2026** **IAMC Hosted VMAC 2026 Final Rounds**
The International Arbitration and Mediation Centre (IAMC), Hyderabad, in collaboration with SettleWiseNow (SWN), hosted the final rounds of the inaugural Virtual Mediation Advocacy Competition (VMAC) 2026 from 7–9 August 2026. The final rounds saw qualified teams from the preliminary stages compete in advanced mediation advocacy simulations as they vied for the championship title.
- 9 AUG 2026**
- 24 AUG 2026** **IAMC Hyderabad Participated in Singapore Convention Week 2026**
IAMC Hyderabad participated in the Singapore Convention Week 2026, held from 24–28 August 2026, by hosting seven events as part of the official programme. Organised in collaboration with leading international institutions and law firms, the events brought together practitioners and industry experts to discuss contemporary issues in mediation, arbitration, and cross-border dispute resolution.
- 28 AUG 2026**
IAMC Hyderabad's programme commenced on 25 August 2026 with a panel discussion organised in partnership with Presolv. On 26 August 2026, the Centre hosted a discussion in collaboration with the Oman Commercial Arbitration Centre (OCAC). The programme for 27 August 2026 featured a debate organised with Rajah & Tann, alongside two panel discussions in collaboration with JSA and the Arbitration Bar of India. The series concluded on 28 August 2026 with two panel discussions organised with Drew & Napier under the YIAMC initiative and Saraf and Partners.

EDITORIAL TEAM :

This newsletter contains summaries of recent developments compiled from publicly available sources and is intended for educational and informational purposes only. Readers are encouraged to refer to the linked original publications for complete information.

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