

Source: sooperkanoon.com/act/35812

Arbitration Act, 1940 [Repealed]

Section 36 - Power of Court, Where Arbitration Agreement is Ordered Not to Apply to a Particular Difference, to Order That a Provision Making an Award a Condition Precedent to an Action Shall Not Shall Not Apply to Such Difference

Where it is provided (whether in the arbitration agreement or otherwise) that an award under an arbitration agreement shall be a condition precedent to the bringing of an action with respect to any matter to which the agreement applies, the Court, if it orders (whether under this Act or any other law) that the agreement shall cease to have effect as regards any particular difference, may further order that the said provision shall also cease to have effect as regards that difference.
