

Arbitration Act, 1940

Chapter 04 - CHAPTER 04: ARBITRATION IN SUITS

SECTION 21: PARTIES TO SUIT MAY APPLY FOR ORDER OF REFERENCEWhere in any suit all the parties interested agree that any matter in difference between them in the suit shall be referred to arbitration, they may at any time before judgment is pronounced apply in writing to the Court for an order of reference.

SECTION 22: APPOINTMENT OF ARBITRATORThe arbitrator shall be appointed in such manner as may be agreed up on between the parties.

SECTION 23: ORDER OF REFERENCE(1) The Court shall, by order, refer to the arbitrator the matter in difference which is required to determine, and shall in the order specify such time as it thinks reasonable for the making of the award.(2) Where a matter is referred to arbitration, the Court shall not, save in the manner and to the extent provided in this Act, deal with such matter in the suit.

SECTION 24: REFERENCE TO ARBITRATION BY SOME OF THE PARTIESWhere some only of the parties to a suit apply to have the matters in difference between them referred to arbitration in accordance with, and in the manner provided by, section 21-, the Court may, if it thinks fit, so refer such matters to arbitration (provided that the same can be separated from the rest of the subject-matter of the suit) in the manner provided in that section but the suit shall continue so far as it relates to the parties who have not joined in the said application and to matters not contained in the said reference as if no such application had been made, and an award made in pursuance of such a reference shall be binding only on the parties who have joined in the application.

SECTION 25: PROVISIONS APPLICABLE TO ARBITRATIONS UNDER THIS CHAPTER- The provisions of the other Chapters shall, so far as they can be made applicable, apply to arbitrations under this Chapter: Provided that the Court may, in any of the circumstances mentioned in sections 8-, 10-, 11- and 12-, instead of filling up the vacancies or making the appointments, make an order superseding the arbitration and proceed with the suit and where the Court makes an order superseding the arbitration under section 19-, it shall proceed with the suit.