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Preface

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BEYOND SPEED: A LAW AND ECONOMIC ASSESSMENT OF THE REAL COST-EFFICIENCY OF ARBITRATION IN INDIAN COMMERCIAL DISPUTE RESOLUTION

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ABSTRACT

Arbitration is often presented as a faster and less expensive alternative to commercial litigation. Yet speed at the award stage does not always translate into economic recovery. This paper assesses the real cost-efficiency of arbitration in India after the 2015, 2019 and 2021 amendments to the Arbitration and Conciliation Act, 1996. Doctrinal analysis and a law and economics framework is used to differentiate front end costs on arbitral processes from back end expenditure (such as on appointment applications, judicial assistance, challenges, stays and enforcement). Empirical evidence regarding Section 34 petitions before the Delhi High Court is also taken into consideration. The paper argues that arbitration's comparative advantage is situational rather than universal, i.e. it depends on factors like the value of the dispute, the behaviour of the parties, institutional design, composition of the tribunal and the likely possibility of judicial follow up. A proposed expected-total-cost framework covers direct spending, the time until award, financing, opportunity costs, and the risk of judicial proceedings after award. The analysis does not claim or aim to establish a nationwide causal comparison, since comparable longitudinal case-level data are still unavailable for such a comparison. Rather, it sets out the conditions under which arbitration is likely to outperform litigation and recommends disclosing dispute resolution costs, improving the management of state challenges, proportional procedure and an outcome tracking system.

Keywords: arbitration; commercial litigation; law and economics; transaction costs; Section 34; India.

I. Introduction

Arbitration's main draw and promise is commercial autonomy, as it allows parties to select decision-makers, customize procedures, and avoid some of the congestion commonly found in ordinary courts. But an award is not the same as the fulfillment of the award. If the winning party must return to court to resist an award challenge or to enforce the result, the arbitration has done nothing but change the points at which the judicial system is brought in, even though the dispute should ideally have never entered the judicial system. A proper comparison is, as such, not only the duration of a hearing, but the full pathway from dispute to the practical implementation.[1] Delays may occur at all the stages, i.e. the pre-appointment, arbitral and post-award stages, and each stage has its own cost.[2]

This distinction is important in India, where the 2015, 2019 and 2021 statutory reforms aimed to expedite the process and improve enforceability, but, crucially, did not curb the possibility of following proceedings. A narrowly focused comparison of arbitral hearings and trial court hearings ignores the financial consequences brought about by appointment litigation, interlocutory judicial assistance, challenges faced after the award stage, and delayed execution of the claim. These issues are not exceptions or edge cases, they are reasonably predictable contingent costs, and the Act itself recognizes a wide variety of court proceedings around any arbitration.[3]

This paper questions whether or not arbitration provides an advantage over litigation in Indian commercial disputes after these reforms, in terms of net costs incurred and time spent. It compares front-end expense and time, identifies back-end costs, and identifies the circumstances under which an advantage is most likely. Its contribution is an evaluative framework, rather than a national average or an assertion that every arbitral proceeding is cheaper.[4]

II. Research Objectives, Gap and Methodology

The objectives are threefold. First, to compare the direct costs and time taken in arbitration and commercial litigation. Second, to investigate the hidden costs of Sections 11, 27 and 34 and related enforcement processes. Third, to identify how party identity, arbitration form and dispute value affect the net advantage. The research question is as such: under what conditions does arbitration reduce the expected total cost of achieving an enforceable commercial outcome?

Earlier scholarship looks at procedural advantages or costs in isolation. The 2014 Indian Law Institute study of ADR effectiveness provides a reference point for the pre-reform environment in India,[5] while subsequent work addresses appointment delays, judicial intervention and dispute-resolution choice.[6] Recent Section 34 research gives us important observations after the reform, but does not establish a nationwide arbitration vs. litigation comparison. This paper bridges the gap by treating front-end and back-end expenditures as one economic decision.[7]

This method is both doctrinal and analytical. The approach adopted here is doctrinal and analytical. Statutory provisions, together with leading judicial principles, are examined together with a selection of legal and empirical literature gathered for the purposes of this study. The economic model presented here constitutes an analytical proposal rather than an estimate derived from original interviews, from case files, or from an experimental dataset. The sources which assert general claims regarding efficiency, without offering transparent and comparable samples, are regarded as commentary rather than as conclusive empirical proof.[8]

III. The Post-Reform Legal Architecture

The 2015 amendment was implemented in order to make arbitration more final and to make it faster. The statutory timeline contained in Section 29A was also introduced here. It reduced the scope of intervention allowed under Section 34 as well, and altered Section 36 so that simply filing an application to stay award no longer stays the execution, removing the previous automatic stay practice.[9] These changes are an incentive shift in that an unsuccessful party must apply for a stay instead of enjoying its automatic imposition, however, the award holder may still have to bear the expense of litigation to challenge a stay or press for execution. The same 2015 amendments also added Section 31A, which gave courts and tribunals the power to order costs on the presumption that the losing party shall pay. This was a move made to discourage deliberate stalling practices and delays.[10]

The 2019 amendment altered the timing framework for domestic awards by making it so that the twelve-month period under Section 29A is attached to the completion of pleadings. It also set out a different formulation for international commercial arbitration. It also dealt with institutionalization, and the appointment of arbitrators, though the provisions on appointment through institutions has not as of yet been implemented.[11] The implication in practice is that a deadline would incentivize parties to be disciplined, but requests for extension and appointment still do require judicial attention, and routine extensions would defeat the purpose of the provision. Legal deadlines do not necessarily align with actual completion times.[12]

Under Section 36, the 2021 amendment introduced a mechanism that allows an unconditional stay while a challenge is pending, but if and only if the court is prima facie satisfied that fraud or corruption was involved in either the arbitration agreement, the underlying contract, or the making of the award, or any combination of those. We should be careful not to portray this exceptional safeguard as bringing back automatic stays for every Section 34 application. The economic effect is that greater potential uncertainty could be seen in the limited set of cases where the provision applies.[13]

IV. Front-End Costs: Arbitration and Litigation

Flexible procedures, hearings, and selection of specialized adjudicators are the methods through which arbitration may help reduce expenditure, but it may also have its own upfront payments, such as arbitrator fees, administrative charges in institutional cases, venue charges, transcription and secretarial support fees, and counsel fees. The Law Commission of India itself observed in 2014 that whatever a party saves by avoiding court fees is usually offset by these other costs.[14] A three-member tribunal can magnify remuneration and scheduling expense. In ad hoc proceedings the Fourth Schedule's model fee scale operates as a guiding framework rather than an invariable cap, and the Supreme Court has voiced concern that arbitration s hould not become a luxury available only to the wealthy.[15] Ad hoc proceedings in fact avoid the administrative fees, but they still require parties to decide upon procedures and manage the logistics of the negotiations themselves. Institutional arbitration has administrative services and rules for procedures, so its value depends on whether or not the services paid for actually help expedite the process and also remove friction.

Commercial litigation involves court fees, lawyers fees, documentation, experts, and the indirect costs of adjournments and court appearances. Since the judicial infrastructure is financed publicly, the parties do not have to ordinarily pay the Judge’s fees. That difference is significant in claims with a lower value, although public subsidy is not the same as absence of social cost, and litigation is often a lengthy process, as such the extended time may well result in any form of savings disappearing.[16] Jurisdictions and case types decide the court fees, lawyers’ fees, and the general cost of enforcement. A proper comparison should match claim value, complexity of claim, location of claim and the probability of appeal.

The Commercial Courts Act, 2015 gives the parties specialized commercial adjudication and tools, undermining the stance that litigation is necessarily ordinary, unmanaged civil procedure. Pre-institution mediation requirements can also influence how fast a qualifying dispute is

resolved, except where urgent interim relief is sought under the statutory exception. Recent work on the Delhi and Bengaluru commercial courts reports that cases resolved through court-annexed mediation were markedly less likely to remain pending and were resolved roughly fifty days earlier than comparable cases that went to full trial, although this association is correlational and limited to the courts studied. The correct benchmark is thus the actual commercial-court pathway, not an idealized picture of slow litigation.[17]

V. Hidden Back-End Costs and the Judicial Shadow

A. Section 11: Appointment Friction

An arbitration clause does not appoint an arbitrator by itself. When parties cannot agree, recourse to Section 11 may be required. Legal submissions, hearings and delay in constitution of the tribunal create costs before merits adjudication begins. Section 11(13) contemplates disposal within sixty days of service of notice, yet this aspiration has not been matched in practice, and the Supreme Court has itself urged High Courts to decide Section 11 applications pending beyond a year within six months.[18] Pre-appointment delay has no counterpart in an ordinary civil suit, which is why it weighs so heavily in the comparison.[19]

Appointment litigation also changes bargaining incentives, i.e. a party that benefits from postponement may exploit ambiguity in appointment clauses. The statutory costs regime was implemented with the intention to remove or reduce this incentive, but a st udy that looked at 383 Section 11 petitions before the Supreme Court in international commercial arbitrations found no examples of the cost being imposed.[20] Transparent and workable institutional appointment mechanisms possibly reduce this risk, but no clause can completely remove jurisdictional disputes.

B. Section 27: Evidence and Court Assistance

Arbitral tribunals are deprived of some coercive powers available to courts. Section 27 allows for judicial assistance for the taking of evidence. This is a necessary bridge for the attendance of witnesses and production of documents, not inherently a defect. Economically, however, its use may entail an extra filing, legal fees, coordination costs and uncertainty. The design routes one evidentiary question through a tribunal application and then a fresh court proceeding without a prescribed time limit at either stage. It is also unsettled whether the court merely executes the tribunal's request or may review it, and because orders under Section 27 fall outside the appeals listed in Section 37, dissatisfied parties may turn to Article 227 of the

Constitution. The resulting delay is charged against the tribunal's own mandate under Section 29A, which may discourage tribunals from seeking assistance at all.[21] Evidence-intensive disputes involving reluctant third parties are therefore less likely to deliver a pure tribunal-only process. Proportional document production and early evidence planning may reduce avoidable requests.

C. Section 34: Award Challenges

Section 34 allows for judicial review on some limited grounds and not a full appeal on facts. In economic terms, even an ultimately unsuccessful challenge can delay recovery, impose defence costs and affect settlement leverage. The existence of narrow statutory grounds is thus consistent with substantial realized litigation expenditure. The award debtor's incentive to challenge may be especially strong where delay improves liquidity or bargaining position.[22] A successful challenge is not necessarily the end of the matter either, since setting aside an award leaves open a fresh arbitration of the same dispute and the costs that come with it.[23] A narrow power to change awards, as recognized by the Supreme Court in 2025, could (in some cases) reduce the need for a new arbitration, however, its economic effect is yet to be observed.[24]

The most relevant recent empirical contribution is the 2026 study by Mohit Yadav, Gaurav Pathak and Anush Ganesh. Examining 2,020 Section 34 petitions filed in the Delhi High Court from 2021 to 2024, the researchers studied 365 judgments and approximately 17,000 orders. Government entities were involved in 1,258 petitions (62.28%); patent illegality was invoked in 38.05% of challenges and public policy in 31.1%. Out of 781 disposed cases, approximately 27% were withdrawn, or settled. This data does not represent nationwide incidence rates, proof that most awards are challenges, or a direct estimate of arbitration's comparative expense, as these are characteristics limited to the observed Delhi High Court sample.[25]

The evidence nevertheless brings up the fact that finality on paper and finality in commercial practice can and do often diverge. Even if an award is ultimately sustained, the creditor may have to spend months or years in the proceedings that reduce the award's present value. It is observed that some challenges settle, which could indicate that judicial review serves as a bargaining function rather than exclusively destroying value. Any efficient judgment should account for both possibilities. Policy commentary adds that the behaviour of government litigants is a major driver of challenge volume, and that officials who bear no personal consequence for a decision to challenge may default to letting the courts decide.[26]

D. Section 36 and Recovery

Enforcement costs are analytically distinct from challenge costs. A favorable award may remain economically unrealized if assets are difficult to locate, payment is resisted or execution requires separate court processes. Section 36's removal of an automatic stay improves the legal position of award creditors, but does not ensure immediate cash recovery. Accordingly, studies reporting time to award without time to actual payment measure an intermediate outcome rather than final dispute resolution.[27]

VI. A Law-and-Economics Framework

A rational party will make a comparison of their risk-adjusted total costs and not merely the fees. The expected private cost for every path can thus be shown as follows: $E(TC) = C_0 + C + P \times C + C_e + V(T) + R$. In this case, C_0 is the cost of initiation and appointment while C is the cost of merits hearing. $P \times C$ is the expected cost of judicial spillover, C_e is the cost of enforcement, V(T) is the cost of time, and R is the residual risk.[28]

Time should be valued explicitly. A claimant awaiting payment incurs financing costs and may forgo reinvestment opportunities; a respondent may enjoy the opposite cash-flow incentive. Recent evidence from Indian commercial courts is consistent with the premise that time has measurable economic value, associating earlier resolution through settlement with higher profitability for plaintiff firms, though only within a limited sample.[29] Delay also weakens evidence and consumes management attention. These consequences mean two procedures with identical legal bills can have different economic costs. Conversely, an expensive but swift expert tribunal may be worthwhile for a high-value technical claim if the time saved and improved decision quality exceed the additional fees.

The correct decision rule is to prefer arbitration only where its expected total private cost is lower than the appropriately matched litigation alternative, subject to enforceability, fairness and access-to-justice constraints. A broader social-welfare assessment must additionally consider public court resources, deterrence, precedent creation and the externalities of delayed commercial payment. A privately attractive choice is not necessarily socially optimal.

VII. When Does Arbitration Actually Win?

First, dispute value matters. Fixed arbitrator and institutional charges form a larger share of a small claim than of a large claim. If the procedure is not streamlined then conventional arbitration may be too costly for a low-value dispute. Specialist expertise and concentrated

hearings may justify tribunal expense in cases of substantial construction or technology claims, however the applicable threshold cannot be stated as a universal rupee figure in the absence of current fee schedules and comparable cost data.[30]

Secondly, the identity of the parties is a factor. Repeat players, including public bodies, may adopt systematic practices for challenging awards or settling disputes. The Delhi High Court study's heavy government participation in Section 34 proceedings shows that public-contract dispute management is more prevalent but on its own it does not establish that government parties challenge awards more often than private parties do relative to the number of awards made against each group. The appropriate denominator is missing. T2024 procurement guidelines and the Delhi Public Works Department's decision to exclude arbitration from future contracts are proof that policy responses are emerging, although critics argue that improving the process is better than abandoning it.[31]

Third, institutional design matters. Institutional administration can lower appointment disputes, provide fee predictability and support timetables, whereas ad hoc arbitration may be economical when parties cooperate and counsel manage a lean process.[32] Neither category is intrinsically superior: institutional rules add value only where the saved transaction costs outweigh the institutional premium. Fourth, complexity and evidence needs matter. A technically demanding dispute may benefit from expert arbitrators, but extensive third-party evidence can increase Section 27 dependency.[33]

Finally, post-award risk matters. A solvent counterparty that is willing to comply will make arbitration quite efficient. Where enforcement is likely to be an issue, or the loser is particularly litigious, the costs of Sections 34 and 36 will outweigh the benefits of the speed. Arbitration’s best use cases are those where there is an enforceable agreement, the procedures are simple, there are strong carrots and sticks to encourage compliance, and the risk of litigation costs are minimized.

VIII. Policy Recommendations

First, India should publish aggregated anonymized case-level indicators of tribunal constitution, hearing completion, awards, Section 34 filing and disposal, stays, enforcement and actual payment, without which it is hard to evaluate claims of post-reform net savings. This disclosure should be differentiated between domestic and international arbitral forums and between institutional and ad hoc tribunals and should indicate dispute value, sector and public/private party status.[34]

Next, public agencies should be required to undertake reasoned internal review before challenging awards, including the recording of grounds for challenge and estimating recovery-adjusted costs.[35] Then, proportionality in tribunal constitution, document production, hearing lengths and fees should be applied, particularly to smaller commercial disputes. Arbitration clauses should specify reliable appointment mechanisms, regimes and transparent cost allocation, and courts should apply the existing costs regime so that stalling practices attracts a real price.[36] Targeted procedural limits should be considered, including statutory time limits for Section 34 and 37 applications and for seeking court assistance under Section 27.[37] Finally, reform outcomes should be assessed according to time-to-recovery and total expenditure as well as to statutory deadlines or awards numbers.

IX. Conclusion

Arbitration is neither automatically cheaper nor necessarily slower than litigation. The reforms of 2015, 2019 and 2021 improved important legal conditions for speed and enforceability, yet the possibility of appointment applications, evidentiary assistance, award challenges and execution remains central to its economic performance. Recent Delhi High Court evidence demonstrates the importance of studying the post-award stage without establishing a national cost comparison.[38] The defensible conclusion is conditional: arbitration can yield a net efficiency advantage where dispute value supports its fixed costs, procedure is disciplined, parties cooperate and the award is likely to be realized without prolonged judicial proceedings. The research agenda should therefore move beyond time to award toward verified, end-to-end measures of commercial recovery.

[1]Arbitration and Conciliation Act, No. 26 of 1996, §§ 11, 27, 34, 36, INDIA CODE (1996) (India).
[2]*See* Kunal J. Vyas, *Delay and Litigation Cost: Major Roadblocks in Arbitration Process*, Bar & Bench (2024) (identifying delay at the pre-appointment, arbitral and post-award stages as distinct problems).
[3]*See* Dharmendra Chatur, *Costs and Consequences: A Solution for India's Arbitrator Appointment Conundrum*, NALSAR-IAMC ADR J. (2024) (listing court-related proceedings under the Act, including those under §§ 8, 9, 11, 34, 36 and 37).
[4]For general comparative commentary, *see* Durgesh Kumar, *Arbitration vs Litigation: Emerging Trends in Commercial Dispute Resolution in India*, 2025 INT'L J. LEGAL RSCH. (2025); *Arbitration vs Litigation India 2026*, Global Law Experts (2026); *Arbitration vs. Traditional Litigation in India: A Critical Analysis of Speed and Efficiency*, LegalBlur (2026); *From Courtrooms to Arbitral Tribunals: Evaluating Commercial Dispute Resolution in India and Beyond*, Lex Scripta Magazine (2026). These sources are treated as commentary for the reasons stated in Part II.
[5]K.N. Chandrasekharan Pillai, Jaya V.S. & Vishnu Konoorayar, *ADR: Status/Effectiveness Study*, SSRN (2014)

(reporting a cost and time benefit analysis of ADR against court adjudication and favouring institutional over ad hoc ADR).

[6]Chatur, *supra* note 3 (discussing delay in Section 11 proceedings and the limited use of costs against dilatory parties).

[7]*See* Bruno Deffains, Dominique Demougin & Claudine Desrieux, *Choosing ADR or Litigation*, 49 INT'L REV. L. & ECON. 33 (2017); Mohit Yadav, Gaurav Pathak & Anush Ganesh, *Empirical Insights on Section 34 Challenges: The State, Judicial Delay, and India's Arbitration Credibility* , ARB. INT'L, aiaf030 (2026).

[8]*See supra* note 4.

[9]Arbitration and Conciliation (Amendment) Act, No. 3 of 2016, §§ 15 –18, INDIA CODE (2016) (India); Arbitration and Conciliation Act §§ 29A, 34, 36. *See Nat'l Aluminium Co. Ltd. v. Pressteel & Fabrications (P) Ltd.*, (2004) 1 S.C.C. 540 (India) (the earlier automatic-stay position, discussed in Vyas, *supra* note 2).

[10]Arbitration and Conciliation Act § 31A; Chatur, *supra* note 3 (describing § 31A as a statutory costs regime introduced in 2015 on the Law Commissionof India's recommendation, Report No. 246 (Aug. 2014), under which the unsuccessful partyordinarilypays thesuccessful party's costsunlessreasonsfor a different orderare recorded).

[11]Arbitration and Conciliation (Amendment) Act, No. 33 of 2019, §§ 3, 5 –6, INDIA CODE (2019) (India); Arbitration and Conciliation Act § 29A. Chatur, *supra* note 3 (observing that, as of 2024, the 2019 provisions vesting appointment in graded arbitral institutions had not been brought into force).

[12]Vyas, *supra* note 2 (cautioning against mechanical extensions under § 29A and noting that a small pool of arbitrators overburdens retired judges).

[13]Arbitration and Conciliation (Amendment) Act, No. 3 of 2021, § 2, INDIA CODE (2021) (India).

[14]*See* Chatur, *supra* note 3 (quoting Law Commission of India, Amendments to the Arbitration and Conciliation Act 1996, Report No. 246, ¶ 70 (Aug. 2014), which observed that savings on court fees are usually offset by other costs of arbitration).

[15]*See* Bhumika K.V., *A Study on Arbitration Cost vs Litigation Cost in India*, 5(1) CMR UNIV. J. DISPUTE SETTLEMENT & ARB. 126 (2026) (discussing the Fourth Schedule fee scale); *ONGC v. Afcons Gunanusa JV*, (2022) 7 S.C.C. 497 (India); *Union of India v. Singh Builders Syndicate*, (2009) 4 S.C.C. 523 (India) (both as discussed in that study).

[16]Bhumika K.V., *supra* note 15 (notingthat court fees are comparativelymodest andthat no judge'sfee is payable, but that prolonged litigation can itself become expensive).

[17]Commercial Courts Act, No. 4 of 2016, §§ 12A, 16, INDIA CODE (2016) (India). Manaswini Rao, Umer Sohail, Sandhya Seetharaman & Raghav Pandey, *Towards Win-Win: Evidence from Commercial Dispute Resolution in India*, J-PAL (working paper, Oct. 22, 2025) (studying the Delhi and Bengaluru commercial courts; the case-level duration and pendency association is correlational, and the sample is confined to firms matched to formal-sector financial data). *See also Patil Automation (P) Ltd. v. Rakheja Engineers (P) Ltd.*, 2022 SCC OnLine SC 1028 (India) (upholding the mandatory character of § 12A, as discussed in that paper).

[18]Arbitration and Conciliation Act § 11(13); Chatur, *supra* note 3; *Shree Vishnu Constructions v. Engineer in Chief, Military Engineering Service*, 2022 LiveLaw (SC) 523 (India); *see also* Vyas, *supra* note 2.

[19]Vyas, *supra* note 2 (contrasting pre-appointment delay in arbitration with civil suits, where no equivalent pre-institution step exists).

[20]Chatur, *supra* note 3 (reporting 383 Section 11 petitions in international commercial arbitrations before the Supreme Court between January 2016 and February 2023, none resulting in costs under § 31A, while acknowledging that comparable High Court data are unavailable).

[21]Jaskiran Kaur & Prakhar Mehrotra, *Section 27 of the Arbitration and Conciliation Act 1996 and the Procedural Cost of Judicial Assistance in Taking Evidence*, 11(9) INT'L J. RSCH. TRENDS & INNOVATION b108 (2026) (arguing that the two-stage design carries no prescribed time limit, that the court's role under § 27(3) is unsettled, and that orders outside § 37 invite Article 227 petitions); Arbitration and Concil iation Act § 27.

[22]Arbitration and Conciliation Act § 34; *Ssangyong Eng'g & Constr. Co. Ltd. v. Nat'l Highways Auth. of India*, (2019) 15 S.C.C. 131 (India).

[23]Vyas, *supra* note 2 (noting the Supreme Court's position that setting aside an award leaves open a fresh arbitration of the same dispute, and arguing that this may compel a bona fide claimant to litigate again for years).

[24]*Gayatri Balasamy v. ISG Novasoft Techs. Ltd.* (Sup. Ct. India Apr. 30, 2025), as discussed in Pragya Mittal, *Recalibrating the State's Role*, Vidhi Centre for Legal Policy (2025).

[25]Yadav, Pathak & Ganesh, *supra* note 7, §§ 4.2, 4.6 (reporting Delhi High Court Section 34 proceedings from 2021–2024).

[26]Mittal, *supra* note 24 (arguing that government litigation strategy contributes to the perceived lack of finality and that officials face little personal accountability for challenge decisions).

[27]Arbitration and Conciliation Act § 36; Vyas, *supra* note 2 (proposing provisional enforcement of awards pending challenge).

[28]For a conceptual treatment of the choice between ADR and litigation, *see* Deffains, Demougin & Desrieux,

supra note 7.
[29]Rao et al., *supra* note 17 (associating settlement-prone judges with higher post-resolution profitability among plaintiff firms; the estimates concern a sample of matched formal-sector firms and are not general).
[30]*See generally The Economic Impact of Unresolved Low-Value Commercial Disputes*, ODR.info (2025); Bhumika K.V., *supra* note 15.
[31]Mittal, *supra* note 24 (describing the Ministry of Finance's June 2024 Guidelines for Arbitration and Mediation in Contracts of Domestic Public Procurement, the Delhi Public Works Department notification removing arbitration from its future contracts, and the argument that the better course is to improve rather than exclude arbitration).
[32]Pillai et al., *supra* note 5; Chatur, *supra* note 3 (observing that institutional arbitration offers advantages in cost, time and efficiency but remains at an early stage of adoption in India); Bhumika K.V., *supra* note 15.
[33]Kaur & Mehrotra, *supra* note 21.
[34]*See* Chatur, *supra* note 3 (noting the absence of reliable case-type data on Section 11 petitions across High Courts and the inconsistent typologies used).
[35]Mittal, *supra* note 24.
[36]Chatur, *supra* note 3; Arbitration and Conciliation Act § 31A.
[37]Vyas, *supra* note 2 (urging a statutory timeframe for the disposal of applications under §§ 34 and 37); Kaur & Mehrotra, *supra* note 21 (proposing an outer limit for § 27 disposal and exclusion of the pendency period from the § 29A clock).
[38]Yadav, Pathak & Ganesh, *supra* note 7.

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