

Arbitration and Conciliation Act, 1996, Section 36(1) - Enforcement of awards where the time to apply for setting aside has not expired, must halt till the award-debtor takes appropriate steps or the relevant Supreme Court orders passed in Suo Motu Writ Petition (Civil) No. 3/2020 are modified, whichever is earlier - Limitation - Extention of - Affect of - Whether the time to file the Section 34 application has expired - Under Section 36(1) award shall be enforced in accordance with the provisions of The Code of Civil Procedure, 1908 in the same manner as if it were a decree of the Court, provided the time for making an application to set aside the Award under Section 34 has expired - Under Section 34(3), an award-debtor has three months to apply for setting aside the award with additional 30 days in the proviso available - Award is dated 31st August, 2020, applicant/award-debtor received the said Award on 7th September, 2020, three months expired on 7th December, 2020 - Effect of the order of the Supreme Court dated 27th April, 2021 - Order clarifies that the period of limitation whether under general or special laws or in respect of judicial/quasi judicial proceedings, shall stand extended till further orders - Hence the time to apply for setting aside of the award dated 31st August, 2020 has still not expired - Since the award debtor's time to apply for setting aside under Section 34 continues to run, the award-holder cannot seek enforcement of the award dated 31st August, 2020 - Enforcement of awards where the time to apply for setting aside has not expired, must therefore halt till the award-debtor takes appropriate steps or the relevant Supreme Court orders are modified, whichever is earlier - Arbitration and Conciliation Act, 1996, Section 34.

Read here; [2021 SCej 1127](#)