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ARBITRABILITY INTERNATIONAL AND COMPARATIVE PERSPECTIVES

In the ordinary sense, arbitrability involves the issue of whether specific category of disputes can be barred from arbitration or whether it belongs exclusively to the domain of state courts. 2 If the subject matter of the dispute is non-arbitrable, the parties cannot confer jurisdiction upon the Arbitral Tribunal vide an arbitration agreement or otherwise. 3 In recent times, the trend towards expansion of arbitrability along with a host of other favourable factors have played a crucial ...

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Arbitrability and Public Policy Challenges

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