

Arbitration and Conciliation Act, 1996

PART II Enforcement of certain Foreign awards

CHAPTER I New York Convention Awards

Section 45: Power of judicial authority to refer parties to arbitration.

45. Notwithstanding anything contained in Part I or in the Code of Civil Procedure, 1908 (5 of 1908), a judicial authority, when seized of an action in a matter in respect of which the parties have made an agreement referred to in section 44, shall, at the request of one of the parties or any person claiming through or under him, refer the parties to arbitration, ¹[**unless it prima facie finds**] that the said agreement is null and void, inoperative or incapable of being performed.

Amendments:

1. Substituted by [the Arbitration and Conciliation \(Amendment\) Act, 2019](#), for “unless it finds” (w.e.f. 30-8-2019).