

**Delay of 19 Months in Release of an
Arbitral Award after Conclusion of the
Final Arguments of the Parties Cannot
Be A Ground For Setting Aside the
International Arbitral Award:
Singapore High Court**

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The Singapore High Court allowed a delay of 19 months in releasing the award by the arbitrator after final closing of the arguments in a recent judgement delivered on 12 March 2015 between ***Coal & Oil Co LLC v GHCL Ltd*** [2015] SGHC 65 case, mainly on the ground that the appellant approached the court only after losing the arbitration.

In ***Coal & Oil Co LLC v GHCL Ltd [2015] SGHC 65*** the plaintiff sought to set aside an award rendered by an arbitral tribunal on the grounds that the award was released 19 months after the parties' final closing submissions. The plaintiff, a Dubai based company, and the defendant, an Indian company entered into a contract for the supply of coal to the defendant. Disputes arose with respect to an addendum entered into the by the parties to revise the price of the third shipment of coal. The dispute was referred to the [SIAC for arbitration](#) and the final award was rendered on 14 March 2014 in favour of the defendant. The plaintiff subsequently applied under Section 24 of the International Arbitration Act to set aside the award contending among other things, that the delay in releasing the award was in contravention to "Section 24(b) of the IAA in that there was a breach of natural justice."

The Court relied on the judgement of ***Hong Huat Development Co (Pte) Ltd v Hiap Hong & Co Pte Ltd [2000] 1 SLR(R) 510*** wherein an award released 10 years after the conclusion of hearings had been upheld on account of failure of aggrieved party to take action prior to issuance of the award. The Court, therefore, concluded that the failure on the part of the plaintiff to terminate the mandate of the arbitrator before the award was released reflected that they were raising this argument now only because the award was issued against them and not because of any delay.

Thus, delay in release of an award was held not to be a violation of natural justice and the application of the plaintiff was dismissed with costs.

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