

ABSTRACT**INTERNATIONAL COMMERCIAL ARBITRATION:
THEORY OF DELOCALIZATION*****RHEA GHANSHANI¹**

Delocalization is a theory, which has been turned into a modern day practice that takes place in the course of international commercial arbitration. It has **followers**, who believe that with the *growing trend of trans-border agreements and businesses taking over the international corporate scenario, it is the need of the hour to detach ourselves from the shackles of procedure*. However, once the *procedural aspect is removed, the process turns rather chaotic*, as has been argued by the **denouncers** of this theory. Needless to say, not having a set format can lead to a perplexing situation in terms of a dispute.

This theory has partially, though in a small way, **debunked the seat theory, or at least attempted to**. However, as this research paper will envisage *certain municipal and international provisions of model law nations continue to follow the seat theory*, instead of having floating or delocalized arbitration.

The paper aims at considering situations where in a State becomes a party in such an arbitration, and the manner in which the Indian and other judiciaries have tackled the annulment of such arbitral awards, while also acquainting the reader with the legal provisions attached thereto. This research paper is therefore, going to mainly focus on **breaking down and thoroughly analyzing the concept at hand**, in order to ascertain whether the *pros have the balance of convenience in their favour or the cons*.

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