

HP Judicial Academy

Curzon House, Boileauganj Shimla

Three days Course on “ADR Mechanism, Effective Court & Case Management and Procedural Issues of Trial in Civil Cases”

For the **Judicial Officers of the State**

Venue: H.P. Judicial Academy, Shimla

Curriculum

Day & Date	Session	Topic	Faculty
Monday 24.3.2014		Registration of Participant-Officers	
		➤ Inauguration by Hon'ble Mr. Justice Mansoor Ahmad Mir, Acting Chief Justice, High Court of H.P. (Hon'ble Patron of H.P. Judicial Academy) To be followed by Tea and Refreshment	
	I	<u>ADR Mechanism</u> ➤ Section 89 CPC ➤ Mechanism for participative justice ➤ Identification of appropriate ADR Mechanism ➤ Latest amendments in Code of Civil Procedure	Dr. J.N. Barowalia, Distt. & Sessions Judge (Retd.), Shimla
	II	<u>ADR Mechanism</u> ➤ Strengths and weaknesses of ADR Mechanisms and ways to strengthen their capacity ➤ Mediation- Role of Referral Judge	Hon'ble Mr. Justice S.S. Thakur, Retired Judge, H.P. High Court, House No. 627, Amit Apartments, The Mall, Solan (H.P.).
	III	➤ Civil Suit- Evaluation- Court Fee, Stamp Act & Limitation Act ➤ Necessary and Proper parties; Misjoinder and Non-joinder ➤ Framing of Issues- additional issues & disposal of preliminary issues ➤ Admissions, rejection & return of documents	Hon'ble Mr. Justice S.S. Thakur, Judge (Retired), House No. 627, Amit Apartments, The Mall, Solan (H.P.).
	IV	➤ Legal Services- A Constitutional Right ➤ Ineffective Legal aid & ineffective assistance of counsel: Effect on the trial and Responsibility of Courts & Legal Services Authority ➤ Role of Courts in Strengthening Access to Justice	Sh. Virender Singh, Member Secretary, H.P. State Legal Services Authority, Shimla
Tuesday 25.3.2014	I	➤ Summary Procedure: Classes of suits to which the order applies ➤ Appearance of defendant and consequences of non-appearance ➤ Power to compel appearance through summons & warrants: sensitivity & responsibility in exercise of power	Sh. J.L. Gupta, Distt. & Sessions Judge (Retd.), Tuti Kandi, Shimla
	II	➤ Burden of Proof & Presumption of Law and Facts ➤ Appreciation of Evidence: dealing with witnesses- documents & exhibits.	Sh. L.R. Sharma, Distt. & Sessions Judge (Retd.), Panthaghati, Shimla

	III	<ul style="list-style-type: none"> ➤ Injunctions: as equitable remedy & discretionary relief- types of injunction ➤ Principles to be observed while refusing, granting & vacating ex-parte injunction ➤ Violation of injunction & breach of order: Consequences, remedy & defence available 	Sh. B.L. Soni, Distt. & Sessions Judge (Retd.), Shimla
	IV	<ul style="list-style-type: none"> ➤ Substitution and Abatement ➤ Execution of Civil Decree ➤ Sensitive and Responsible Judging 	Dr. J.N. Barowalia, Distt. & Sessions Judge (Retd.), Shimla
Wednesday 26.3.2014	I	<ul style="list-style-type: none"> ➤ Effective Court Management ➤ Importance of Court Management and case flow management in speedy disposal of cases ➤ Sharing best practices of trial and Court Management 	Prof. Mrs. Trisha Sharma, Director, Law College, APG University, Shimla
	II	<ul style="list-style-type: none"> ➤ Effective Case Management, Docket Management and Personal Management in the Court ➤ Use of statutory provisions and procedural laws for arrears reduction 	Prof. Mrs. Trisha Sharma, Director, Law College, APG University, Shimla
	III	<ul style="list-style-type: none"> ➤ Discovery of documents & interrogations ➤ How and for what purpose Commission may be issued ➤ Examination of parties/counsel under order 10 Rule 1 & 2 	Sh. B.S. Chauhan, Distt. & Sessions Judge (Retd.), Shimla
	IV	<ul style="list-style-type: none"> ➤ Group discussion ➤ Valediction 	Hon'ble Mr. Justice Rajiv Sharma, Judge, High Court of H.P. (Hon'ble President of Judicial Academy)

Timings including interactive sessions:

1 st day		2 nd day & 3 rd day	
Registration	: 8.45 a.m. to 9.15 a.m.	1 st Session	: 10.00 a.m. to 11.15 a.m.
Inauguration	: 9.15 a.m. to 10.00 a.m.	2 nd Session	: 11.30 a.m. to 1.00 p.m.
1 st Session	: 10.15 a.m. to 11.30 a.m.	3 rd Session	: 2.00 p.m. to 3.15 p.m.
2 nd Session	: 11.30 a.m. to 1.00 p.m.	4 th Session	: 3.30 p.m. to 4.45 p.m.
3 rd Session	: 2.00 p.m. to 3.15 p.m.		
4 th Session	: 3.30 p.m. to 4.45 p.m.		
Tea break	: First Day: 10.00 a.m. to 10.15 a.m. & 3.15 p.m. to 3.30 p.m. Second and Third Day: 11.15 a.m. to 11.30 a.m. & 3.15 p.m. to 3.30 p.m.		
Lunch break	: 1.00 pm to 2.00 pm		

Director
H.P. Judicial Academy, Shimla

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