



# HIMACHAL PRADESH JUDICIAL ACADEMY

CURZON HOUSE, BOILEAUGANJ, SHIMLA – 171005

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-05

## Curriculum

Day & Date	Session	Topic	Faculty
Monday 26.5.2014		Registration of Participant-Officers	
		<ul style="list-style-type: none"> <li>➤ 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).</li> <li>➤ To be followed by Tea and Refreshment</li> </ul>	
	I	<u>ADR Mechanism</u> <ul style="list-style-type: none"> <li>➤ Section 89 CPC</li> <li>➤ Mechanism for participative justice</li> <li>➤ Identification of appropriate ADR Mechanism</li> <li>➤ Latest amendments in Code of Civil Procedure</li> </ul>	Dr. J.N. Barowalia, Distt. & Sessions Judge (Retd.), Shimla
	II	<u>ADR Mechanism</u> <ul style="list-style-type: none"> <li>➤ Strengths and weaknesses of ADR Mechanisms and ways to strengthen their capacity</li> <li>➤ Mediation- Role of Referral Judge</li> </ul>	Hon'ble Mr. Justice S.S. Thakur, Retired Judge, H.P. High Court, House No. 627, Amit Apartments, The Mall, Solan (H.P.).
	III	<ul style="list-style-type: none"> <li>➤ Civil Suit- Evaluation- Court Fee, Stamp Act &amp; Limitation Act</li> <li>➤ Necessary and Proper parties; Misjoinder and Non-joinder</li> <li>➤ Framing of Issues- additional issues &amp; disposal of preliminary issues</li> <li>➤ Admissions, rejection &amp; return of documents</li> </ul>	Hon'ble Mr. Justice S.S. Thakur, Judge (Retired), House No. 627, Amit Apartments, The Mall, Solan (H.P.).
	IV	<ul style="list-style-type: none"> <li>➤ Legal Services- A Constitutional Right</li> <li>➤ Ineffective Legal aid &amp; ineffective assistance of counsel: Effect on the trial and Responsibility of Courts &amp; Legal Services Authority</li> <li>➤ Role of Courts in Strengthening Access to Justice</li> </ul>	Sh. Virender Singh, Member Secretary, H.P. State Legal Services Authority, Shimla
Tuesday 27.5.2014	I	<ul style="list-style-type: none"> <li>➤ Summary Procedure: Classes of suits to which the order applies</li> <li>➤ Appearance of defendant and consequences of non-appearance</li> <li>➤ Power to compel appearance through summons &amp; warrants: sensitivity &amp; responsibility in exercise of power.</li> </ul>	Sh. J.L. Gupta, Distt. & Sessions Judge (Retd.), Tuti Kandi, Shimla

	II	<ul style="list-style-type: none"> <li>➤ Burden of Proof &amp; Presumption of Law and Facts</li> <li>➤ Appreciation of Evidence: dealing with witnesses- documents &amp; exhibits.</li> </ul>	Sh. B.L. Soni, Distt. & Sessions Judge (Retd.), Shimla.
	III	<ul style="list-style-type: none"> <li>➤ Injunctions: as equitable remedy &amp; discretionary relief- types of injunction</li> <li>➤ Principles to be observed while refusing, granting &amp; vacating ex-parte injunction</li> <li>➤ Violation of injunction &amp; breach of order: Consequences, remedy &amp; defence available</li> </ul>	Sh. B.L. Soni, Distt. & Sessions Judge (Retd.), Shimla
	IV	<ul style="list-style-type: none"> <li>➤ Substitution and Abatement</li> <li>➤ Execution of Civil Decree</li> <li>➤ Sensitive and Responsible Judging</li> </ul>	Dr. J.N. Barowalia, Distt. & Sessions Judge (Retd.), Shimla
Wednesday 28.5.2014	I	<ul style="list-style-type: none"> <li>➤ Effective Court Management</li> <li>➤ Importance of Court Management and case flow management in speedy disposal of cases</li> <li>➤ Sharing best practices of trial and Court Management</li> </ul>	Prof. Mrs. Trisha Sharma, Director, Law College, APG University, Shimla
	II	<ul style="list-style-type: none"> <li>➤ Effective Case Management, Docket Management and Personal Management in the Court</li> <li>➤ Use of statutory provisions and procedural laws for arrears reduction</li> </ul>	Prof. Mrs. Trisha Sharma, Director, Law College, APG University, Shimla
	III	<ul style="list-style-type: none"> <li>➤ Discovery of documents &amp; interrogations</li> <li>➤ How and for what purpose Commission may be issued</li> <li>➤ Examination of parties/counsel under order 10 Rule 1 &amp; 2</li> </ul>	Sh. B.S. Chouhan, Distt. & Sessions Judge (Retd.), Shimla
	IV	<ul style="list-style-type: none"> <li>➤ Group discussion</li> <li>➤ <b>Valediction</b></li> </ul>	<b>Hon'ble Mr. Justice Rajiv Sharma, Judge, High Court of H.P. (Hon'ble President of H.P. Judicial Academy)</b>

**Timings including interactive sessions:**

1 <sup>st</sup> day		2 <sup>nd</sup> day & 3 <sup>rd</sup> day	
Registration	: 8.00 a.m. to 8.20 a.m.	1 <sup>st</sup> Session	: 10.00 a.m. to 11.15 a.m.
Inauguration	: 8.45 a.m. to 10.00 a.m.	2 <sup>nd</sup> Session	: 11.30 a.m. to 1.00 p.m.
1 <sup>st</sup> Session	: 10.15 a.m. to 11.30 a.m.	3 <sup>rd</sup> Session	: 2.00 p.m. to 3.15 p.m.
2 <sup>nd</sup> Session	: 11.30 a.m. to 1.00 p.m.	4 <sup>th</sup> Session	: 3.30 p.m. to 4.45 p.m.
3 <sup>rd</sup> Session	: 2.00 p.m. to 3.15 p.m.		
4 <sup>th</sup> Session	: 3.30 p.m. to 4.45 p.m.	-	-
Tea break	: <b>First Day:</b> 10.00 a.m. to 10.15 a.m. & 3.15 p.m. to 3.30 p.m. <b>Second and Third Day:</b> 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		

  
 Course Director  
 (Director)

H.P. Judicial Academy, Shimla-05