MEDIATION & CONCILIATION CENTER, KAPURTHALA

What is Mediation?

Mediation is one of the Alternative Dispute Resolution Methods contemplated under Section 89 of the Code of Civil Procedure enacted by the Parliament. Mediation is a process in which a neutral third party assists the disputing parties to creatively resolve their disputes without going to trial. Mediation presents a unique opportunity for dispute resolution with the involvement and participation of all the parties and their advocates.

A neutral third party called "mediator" uses special negotiation skills and communication techniques to help litigants bridge their differences and find a solution to their dispute. Mediation always leaves the decision making power with the parties. A Mediator does not decide what is fair or right or apportion blame. Rather, a mediator acts as a catalyst to bring the two disputing parties together by defining issues and eliminating obstacles for communication and settlement.

Benefits of Mediation

1. Disputes can be dealt with promptly.
2. It provides an opportunity to address the situation before the problem accelerate.
3. Parties control the outcome of the dispute. It provides a win win situation for both the parties as they play an important role in formulating the terms of the settlement.
4. Improves relationship between disputing parties.
5. Creates a forum where disputes and issues can be heard and addressed by the parties with the help of a neutral third party.
6. It saves money as the disputes are promptly settled or if not settled are referred back to the court immediately.

Mediation is …

1. Voluntary.
2. Confidential - only you decide what information may be shared with the other party or the court.
3. Transparent - there are no surprises in mediation.
4. Time and cost efficient.
5. Informal - focusing on the parties' interests rather than the rules of procedure and evidence.
6. Flexible - enabling the parties to resolve the dispute by themselves.

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