



GUJARAT STATE LEGAL SERVICES AUTHORITY

3rd Floor, Administrative Building, High Court Complex,
Sola, Ahmedabad – 380 060 Tele/Fax: 079-27664964; 27665296.

Scheme for Identification of cases for Mediation Reference as a measure to improve Mediation Activities in the State of Gujarat.

[As approved by the Hon'ble Mediation Monitoring Committee, High Court of Gujarat in its meeting held on 17.03.2016]

1. Judicial Officer who has been directed by the District Judge to dispose of cases and pending before him/her shall identify cases from amongst pending cases, such cases which are fit for Mediation reference and having some element of settlement.
2. The work of identifying suitable cases by the Judicial Officer must be done at the earliest and the concerned staff of the such Judicial Officer should keep cases ready for examination well in advance.
3. Each Judicial Officer should identify cases from amongst pending cases which are not likely to reach for hearing in the near future and for new cases, they should scrupulously follow the direction contained in Circular No.2051/2015 dated 21.09.2015 which was issued as per Order of the Hon' ble Mediation Monitoring Committee, High Court of Gujarat.
4. On examination of cases, Judicial Officer should submit the list of identified cases to the Chairperson of DLSA.
5. On receipt of list of identified cases, the Chairperson of DLSA shall empower the Judicial Officer to call the parties in the court and verify if the parties are willing for mediation process or not ?
6. If parties are ready for mediation, the Judicial Officer shall pass referral order.

Even if, both the parties do not agree for mediation, Judicial Officer, if prima facie finds that there exist element of a settlement, such cases shall also be referred for mediation.

7. After referral order, the Secretary of DLSA/Coordinator shall consider the nature of case, area and specialisation of Mediator and appoint appropriate Mediator in that particular matter.

8. On appointment of Mediator the Secretary of DLSA/Coordinator shall issue letters to the concerned parties and their Advocates.

9. To have control and smooth functioning of said scheme Chairperson shall provide all help to the Judicial Officer.

10. The Mediation Monitoring Committee, High Court of Gujarat may analyze the annual performances of Judicial Officers and Mediators.

11. The Judicial Officers who make maximum references in a year and whose maximum referral cases ended up in settlements be felicitated in the Referral Judges Awareness Programme.

12. The object of Scheme is to felicitate and appreciate Judicial Officers who have performed best in mediation activities during the year. Also to encourage the other Judicial Officers to perform well in mediation process.

13. As per decision taken in the meeting of the Hon'ble Mediation Monitoring Committee held on 21.03.2012 District Mediation Monitoring Committee have been constituted in each Judicial District. The District Mediation Monitoring Committee shall see that the directions contained in this Scheme be carried out in its true spirit in their respective District and shall also concentrate on all other functions/activities assigned to the said Committee.
