

HIGH COURT OF MADHYA PRADESH, JABALPUR

// MEMORANDUM //

Memo No.: C.../2421....
II-15-50/87 (ADR) Pt.

Jabalpur, Dt. 26 April, 2017

To

District and Sessions Judge,
.....all in the State (M.P.)

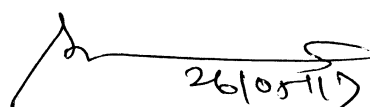
Subject : Implementation of legislative & administrative initiatives to
bringdown the pendency.

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Please find the enclosed copy of D.O. No. A.60011(6)/21/2017-
Admin.III(LA) dated. 29/04 /2017 to follow ADR mechanisms for speedy
resolution of disputes and ensure the timely Justice.

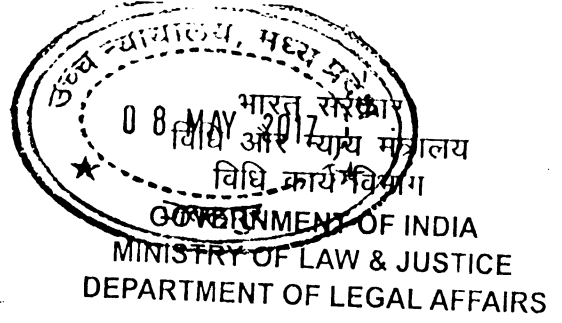
You are further requested to do needful.

Encl. As above.


(SANAT KUMAR KASHYAP)
Registrar (DE)

-:-

सुरेश चन्द्रा
SURESH CHANDRA
विधि सचिव
Law Secretary



29 April, 2017

D.O No.A.60011(6)/21/2017-Admn.III(LA)

Dear Mohd Fahim Anwar,

Justice delivery system in India has been coming under a great stress and has been a matter of public debate for quite some time. Logjam in courts is a serious concern and needs to be cured by sincere efforts.

2. In order to address the logjam the Government has taken several steps such as enactment of the Arbitration and Conciliation (Amendment) Act 2015, with a view to minimize the court intervention, bring down cost, provide timelines & neutrality of arbitrators. Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts Act, 2015 has been inactive with a view to provide adjudication of commercial disputes of specified value. Amendments made in the Civil Procedure Code 1908 and The Negotiable Instruments Act, 1882, were aimed to reduce the life cycle of cases arising out of the enactments which have been referred to and also endorsed in various judicial pronouncements. In 'Salem Bar Association' also timelines and mechanisms to expedite the cases have been dwelt upon.

3. But, what matters how we are using the ADR mechanisms which our law already provides. Lawyers are also officers of the court and they, among others are the wheels of chariot in the administration of Justice. The foremost and the paramount task of lawyers are to assist the court in its journey towards administration of justice.

4. However, it has been observed that despite having statutory framework for ADR, they are not used in the manner as it was expected and intended at the time of its introduction in the books of statues which resulted huge pendency of cases. Thus to streamline our legal and judicial system to ensure speedy resolution of disputes and ensuring the timely justice. It is advised that the ADR mechanisms should be resorted to. Government is drawing attention of the Bar & Bench for adopting wherever practicable the ADR mechanisms and also making the litigants aware about the existence of such ADR mechanisms.

5. You are, therefore, requested kindly take positive note of various legislative and administrative initiatives including IT tools, ADR etc. taken by the Government for resolution of disputes so as to bring down the load on the judicial system which may consequently benefit the people.

With regards,

Yours sincerely,

(Suresh Chandra)

Mohd.Fahim Anwar,
Registrar General,
Madhya Pradesh High Court,
South Civil Lines, Jabalpur,
Madhya Pradesh-482 001

08 MAY 2017
REGISTRAR GENERAL
HIGH COURT OF M.P.
JABALPUR

Member Secretary, MPSLSA / Pres. Reg. (J) /
Reg. (D.E) / Reg. (I.T) (SA)