

COURSE-IV: CLINICAL COURSE-I:

PROFESSIONAL ETHICS AND PROFESSIONAL ACCOUNTING SYSTEM

Objective:

Professions are noble. The movement of all professions, hitherto, has been from chaos to organization, organization to consolidation and consolidation to autonomy and monopoly. Same is true of the law profession also. The prime reason for conferring autonomy and monopoly by the society on the professionals is the fact that they are a body of learned persons and the interest of society and individuals is safe in their hands. The Bar should set enviable standards of ethics and scrupulously adhere to them as also enforce them. It is too good of the society to trust the learned body of the professionals to regulate themselves and not to empower an outsider to sit in judgment over their activities. The trust reposed by the society in profession is to be zealously guarded. The Bar should live up to the expectations of the society. The society has a right to expect of the professionals such ideal behaviour. The course is designed to imbue students with these high values forming the basis of the profession so that they can live up to those standards in their professional life.

Course contents:

UNIT-I

The legal profession and its responsibilities; The equipment of the lawyer; Conduct in Court; Professional conduct in general; Privileges of a lawyer; Salient features of the *Advocates Act, 1961*.

UNIT-II

Duty to the Court; Duty to the profession; Duty to the opponent; Duty to the client; Duty to the self; Duty to the public and the State.

UNIT-III

Contempt of Court Act, 1972.

Selected major judgments of the Supreme Court:

1. *In the matter of D, An Advocate*, AIR 1956 SC 102.
2. *P J Ratnam v. D. Kanikaram*, AIR 1964 SC 244.
3. *N.B. Mirza v. The disciplinary committee of Bar Council of Maharashtra and Another*, AIR 1972 SC 46.
4. *Bar Council Of Maharashtra v. M V Dubholkar, etc.*, AIR 1976 SC 242.
5. *V C Rangadurai v. D. Gopalan and others*, AIR 1979 SC 201.
6. *Chandra Shekhar Soni v. Bar Council of Rajasthan and Others*, AIR 1983 SC 1012.

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7. *In Re an Advocate*, AIR 1989 SC 245.
8. *In Re Vinay Chandra Mishra*, 1995 (Vol-1) IBR 118.
9. *Supreme Court Bar Association v. Union of India*, AIR 1998 SC 1895.
10. *Ex-Capt. Harish Uppal v. Union of India*, AIR 2003 SC 739.

UNIT-IV

Selected opinions of the Bar council of India

1.	DC Appeal No. 16/93	1998	(Vol.1)	IBR 135
2.	BCI Tr. Case No.40/91	1998	(Vol.1)	IBR 139
3.	DC Appeal No. 8/94	1998	(Vol. 1)	IBR 153
4.	DC Appeal No. 20/94	1997	(Vol. 3 &4)	IBR 193
5.	BCI Tr. Case No. 76/95	1997	(Vol. 3 &4)	IBR 201
6.	DC Appeal No.43/96	1997	(Vol. 3 &4)	IBR 207
7.	DC Appeal No.18/91	1997	(Vol. 1 & 2)	IBR 271
8.	DC Appeal No.24/90	1996	(Vol.1)	IBR 135
9.	DC Appeal No.19/93	1996	(Vol.1)	IBR 152
10.	BCI Tr. Case No.104/90	1996	(Vol.1)	IBR 155
11.	BCI Tr. Case No.52/89	1994	(Vol.1)	IBR 187
12.	BCI Tr. Case No.127/88	1992	(Vol. 3 &4)	IBR 125
13.	BCI Tr. Case No.39/87	1992	(Vol. 3 &4)	IBR 147
14.	BCI Tr. Case No.39/89	1992	(Vol. 3 &4)	IBR 149
15.	BCI Tr. Case No.16/88	1989	(Vol.1)	IBR 99
16.	BCI Tr. Case No.2/88	1989	(Vol.1)	IBR 102
17.	BCI Tr. Case No.52/88	1989	(Vol.2)	IBR 110
18.	DC Appeal No.41/87	1989	(Vol.2)	IBR 122
19.	BCI Tr. Case No.29/81	1989	(Vol.2)	IBR 245
20.	DC Appeal No.14/88	1989	(Vol.2)	IBR 258
21.	BCI Tr. Case No.14/80	1989	(Vol.2)	IBR 264
22.	DC Appeal No.24/87	1989	(Vol.2)	IBR 273
23.	DC Appeal No.46/86	1989	(Vol.2)	IBR 280
24.	DC Appeal No.3/88	1989	(Vol.2)	IBR 285

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25	BCI Tr. Case No.2/80	1989	(Vol.2)	IBR 289
26	BCI Tr. Case No.10/86	1989	(Vol. 3 &4)	IBR 520
27	BCI Tr. Case No.101/88	1989	(Vol. 3 &4)	IBR 524
28	DC Appeal No.23/88	1989	(Vol. 3 &4)	IBR 532
29	DC Appeal No.35/87	1989	(Vol. 3 &4)	IBR 536
30	BCI Tr. Case No.27/88	1989	(Vol. 3 &4)	IBR 542
31	BCI Tr. Case No.6/84	1989	(Vol. 3 &4)	IBR 560
32	BCI Tr. Case No.24/86	1989	(Vol. 3 &4)	IBR 563
33	DC Appeal No.10/88	1989	(Vol. 3 &4)	IBR 572
34	DC Appeal No.45/74	1988	(Vol. 1 &2)	IBR 182
35	DC Appeal No.23/87	1989	(Vol.1& 2)	IBR 187
36	DC Appeal No.6/81	1988	(Vol.1& 2)	IBR 193
37	BCI Tr. Case No.16/86	1988	(Vol.1& 2)	IBR 197
38	DC Appeal No.41/86	1988	(Vol.1& 2)	IBR 200
39	DC Appeal No.33/86	1988	(Vol. 3 &4)	IBR 354
40	DC Appeal No.21/85	1988	(Vol. 3 &4)	IBR 359
41	BCI Tr. Case No.43/82	1988	(Vol. 3 &4)	IBR 364
42	DC Appeal No.28/86	1988	(Vol.3& 4)	IBR 374
43	DC Appeal No.64/74	1987	(Vol.2)	IBR 314
44	DC Appeal No.30/84	1987	(Vol.2)	IBR 319
45	DC Appeal No.40/86	1987	(Vol.3)	IBR 488
46	DC Appeal No.10/86 &10A/86	1987	(Vol.3)	IBR 491
47	DC Appeal No.7/86	1987	(Vol.3)	IBR 496
48	DC Appeal No.7/81	1987	(Vol.4)	IBR 735
49	DC Appeal No.12/86	1987	(Vol.4)	IBR 745
50	BCI Tr. Case No.57/87	1987	(Vol.4)	IBR 753

UNIT-V

Accountancy for lawyers:


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Need for maintenance of accounts- Books of accounts that need to be maintained- Cash Book, journal and ledger

Elementary aspects of bookkeeping: Meaning, object, journal, double entry system, closing of accounts

The cash and bulk transaction- The Cash book- Journal proper especially with reference to client's accounts- Ledger, Trial balance and final accounts- Commercial mathematics.

1. **Mode of assessment:** The scheme of evaluation for **Clinical Course-I: Professional ethics and Professional accounting system** shall be as under:

- a. There shall be a viva for 20Marks at the end of the semester. Viva shall be conducted by the course teacher and the principal or a senior faculty member designated by the principal.
- b. Two Written Tests shall be conducted for 40 marks each.
- c. The questions in the test papers should be spread over whole syllabus.
- d. I test shall be at the end of 9 weeks of the semester and the II test shall be by the end of the semester.

Prescribed Books:

Iyer, K.V., Krishnaswamy, *Professional Conduct and Advocacy*, (Oxford University Press, 1945)

B.S.Raman, *Financial Accounting*, "Elements of Accountancy", (Mangalore: United Publishers, 1998)

Reference Books:

Menon, N.R. Madhava ,*Clinical Legal Education*, (Eastern Book Co., 2008)

Dr. B. Malik, *Art of Lawyer*, (New Delhi: Universal Book Agency, 1999)

Contempt of Court Act, 1971


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COURSE-V: CLINICAL COURSE-IV: MOOT COURT EXERCISE AND INTERNSHIP

Objectives:

This course is designed to hone advocacy skills in the students. Moot Courts are simulations geared up to endow students with facility in preparation of written submissions and exercises planning, organising and marshalling arguments in the given time so as to convince the presiding officer.

The students should familiarize themselves with the various stages of trial in civil and criminal cases. They should be exposed to real court experience. Further they should imbibe the skills of client interviewing. This component may be planned to be part of the internship. Each student enrolled in 3 year course shall undergo an internship for minimum 12 weeks (20 weeks for 5 year LL.B. course) during the entire course under NGO, trial and appellate advocates, legal regulatory authorities, legislatures and parliament, other legal functionaries, market institutions, law firms, companies, local self government and other such bodies as the university may stipulate. However, the internship shall not be for a period of more than four weeks continuously in an academic year.

Course contents:

Moot Court (30 marks)

1.1 Each student shall participate in at least 3 moot courts. Each Moot court exercise shall carry

10 marks, which shall be divided as under:

- for oral advocacy: 5 marks, and
- Written submission: 5 marks.

1.2 The student shall make written submission on behalf of the party for whom he makes oral advocacy as assigned by the course teacher.

1.3 The written submissions for the three moot courts shall be neatly written on one side of the bond size papers and bound together with a certificate signed by the course teacher and the principal to the effect that it is the bonafide work of the concerned student.

1.4 The cover shall indicate the name of the examination, subject, seat number and the center code number.

Observation of Trial (30 marks)

1.1 Each student shall attend trial in two cases one civil and one criminal in the course of last two or three years.

1.2 The student shall maintain a record and enter the various steps observed during their attendance on different days in the Court.

1.3 The record shall be neatly written on one side of the bond size paper and bound. It will carry a certificate by the course teacher and principal to the effect that it is the bonafide work of the concerned student.

1.4 The record shall be valued for 30 marks.

1.5 The cover page shall indicate the name of the examination, subject, seat number and the center code number.

Client Interviewing (30 marks)

Each student shall observe two session of client interviewing at the Lawyer's Office/Legal Aid Office and record the proceedings in a diary, which shall carry 15 marks.

Each student shall further observe the preparation of documents and Court papers by the Advocate and the procedure for the filing of the suit/petition. This shall be recorded in a diary, which shall carry 15 marks.

The Diaries shall be neatly written on one side of bond size papers and bound with a certificate signed by the course teacher and the Principal to the effect that it is the bonafide work of the concerned student.

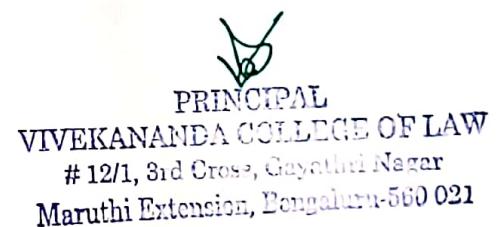
The cover page of the diary shall indicate the name of the examination, subject, seat number, and the center code number.

Viva (10 marks)

At the end of the semester, the student shall appear for a viva voce, which shall carry 10 marks.

Method of assessment: The submissions of Moot courts shall be valued by the course teacher. The diaries relating to trial observation and client interviewing and pre-trial preparations shall be valued by the professional under whose supervision the student has completed internship and the course teacher if it is so planned. If internship is with an Authority wherein trial observation and client interviewing is not possible, the student shall undertake these exercises separately and it shall be evaluated by the course teacher. The viva shall be conducted by the Principal of the college and the course teacher.

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COURSE-V: CLINICAL COURSE-III: DRAFTING, PLEADING AND CONVEYANCE

Objectives:

Translation of thoughts into words- spoken and written is an essential ingredient of an effective lawyer. The students should be trained in drafting of pleadings and conveyances and other essential documents. The skill of drafting can be acquired and sharpened by undertaking the exercises under the supervision of an expert in the field. The course aims at equipping the students with drafting skills.

Course contents:

1. General principles of drafting and relevant substantive rules.
2. Pleadings- Civil: plaint, written statement, interlocutory application, original petition, affidavit, execution petition, memorandum of appeal and revision, petition under Art.226 and Art.32 of the Constitution of India.
3. Pleadings- Criminal: complaint, criminal miscellaneous petition, bail application, memorandum of appeal and revision.
4. Conveyance: sale deed, mortgage deed, lease deed, gift deed, promissory note, power of attorney, will, trust deed, partition deed, etc.
5. Drafting of writ petition and Public Interest Litigation petition.

This course shall be taught through class room instructions and simulation exercises preferably with the assistance of practicing lawyers or retired judges.

Examination and allocation of marks:

- 1 Each Student shall undertake 15 practical exercises in drafting of Pleadings carrying 45 marks (3 marks for each exercise).
- 2 Each student shall undertake 15 practical exercises in Conveyancing, which carries 45 marks (3 marks each).
- 3 The above-mentioned drafting of Pleadings and Conveyancing exercises shall be in the handwriting of the students on one side of the bond size papers. The papers shall be bound accompanied by a certificate signed by the course teacher and the principal to the effect that it is the bonafide work of the concerned candidate.
- 4 The cover shall indicate the name of the examination, subject, seat number, and the center code number.
- 5 There shall be a contents page.

At the end of the semester, the student shall appear for a viva voce, which shall carry 10 marks.

Viva- to be conducted by the Principal and the course teacher.


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COURSE-V: CLINICAL COURSE-II: ALTERNATIVE DISPUTE RESOLUTION SYSTEMS

Objectives:

Today alternative disputes resolution systems have become more relevant than before both at local, national and international levels. Certain of the disputes, by nature are fit to be resolved through specific method of resolution. Each of these dispute resolution systems involves different style of planning and execution. The skills involved are also different as also preparation. This course trains the students in ADRs. The course teacher shall administer simulation exercises for each of the methods.

Course contents:

UNIT-I

General; Different methods of dispute resolution; Inquisitorial method; Adversarial method; Other methods- both formal and informal- like Arbitration, Conciliation, Negotiation, Mediation, etc.; Advantages and disadvantages of above methods; Need for ADRs; International commitments; Domestic needs; Suitability of ADRs to particular types of disputes; Civil Procedure Code and ADRs

UNIT-II

Arbitration: Meaning of arbitration; Attributes of arbitration; General principles of arbitration; Different kinds of arbitration; Qualities and qualifications of an arbitrator; Arbitration agreement and its drafting; Appointment of arbitrator; Principal steps in arbitration; Arbitral award; Arbitration under Arbitration and Conciliation Act, 1996.

UNIT-III

Conciliation: Meaning; Different kinds of conciliation- facilitative, evaluative, court-annexed, voluntary and compulsory; Qualities of a conciliator; Duties of a conciliator; Role of a conciliator; Stages of conciliation; Procedure; Conciliation under statutes- Industrial Disputes Act, 1947; Family Courts Act, 1984; Hindu Marriage Act, 1955; Arbitration and Conciliation Act, 1996.

UNIT-IV

Negotiation: Meaning; Different styles of negotiation; Different approaches to negotiation; Phases of negotiation; Qualities of a negotiator; Power to negotiate.

UNIT-V

Mediation: Meaning; Qualities of mediator; Role of mediator; Essential characteristics of the mediation process – voluntary, collaborative, controlled, confidential, informal, impartial & neutral, self-responsible; Different models of mediation; Code of conduct for mediators.

Prescribed Books:

Madabhushi, Sridhar, *Alternative Dispute Resolution*, (New Delhi: LexisNexis, 2006)

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Rajan R.D., *A Primer on Alternative Dispute Resolution*, (New Delhi: Jain Book Agency, 2005)

Reference Books:

Sampath D.K.. *Mediation concept and technique in support of Resolution of Disputes*, (National Law School of India University, 1991)

Gold Neil, et.al., *Learning Lawyers Skills*, (London: Butterworths in conjunction with the Commonwealth Legal Education Association, 1989) (Chapter-7).

Michael Noone, *Mediation*, (Cavendish Pub., 1996) (Chapters-1, 2&3).

Note: Mode of Assessment: The scheme of evaluation for Clinical Course-II:Alternative Dispute Resolution Systems shall be as under:

- a. Two Written Tests shall be conducted for 30 marks each.
- b. The questions in the test papers should be spread over whole syllabus.
- c. I. test shall be at the end of 9 weeks of the semester and the II test shall be by the end of the semester.

There shall be four simulation exercises conducted for 10 marks each (one exercise each in negotiation, mediation, arbitration and conciliation).


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LOK ADALAT REPORT


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Bengaluru-560001

PURPOSE OF LOK ADALAT VISIT

The purpose of visit was understand the working of the local network setup of the judicial officers in the matters of Lok Adalat and also with observe how the concept of conciliated settlement of dispute in the traditional Indian culture in the form of various潘查吉特 from and various潘查吉特 led to induction of Lok Adalat which added a new chapter of the Justice to the Justice Disputation system of the country but now it provides a supplementary forum to victims for satisfactory settlement of dispute.

The visit helped me to gain practical knowledge and firsthand experience of the functioning of Lok Adalat supplementing classroom learning with real world to the marginalized and economically weaker section society promoting a sense of social responsibility.



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INTRODUCTION TO LOK ADALAT

NALSA (National Legal Service Authority) along with other legal services institution conduct Lok Adalat. This is one of the alternative dispute resolution mechanism. It is a form of dispute case pending in the court of law or pre-litigation stage settled compromised amicably. Lok Adalat have been given statutory status under the Legal Services Authority Act 1987 under the said act the Award (decree) made by Lok Adalat is deemed to be decree of a civil court and is final and binding on all parties and appeal against such award before any court law office party are not satisfied with the award of the Lok Adalat though there is no provision for an appeal against such an award but they are free initiate litigation by approaching judiciary by seeking a writ by following the rules promulgated in the expuse of a writ right to litigation.


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There is no court fee payable when a matter is filed in Lok Adalat in matter pending before the court law of Appeal the court law is referred the court law necessarily paid in the court on the complaint / petition is also referred back to the parties the persons defendant whose in the Lok Adalat / Petition is also refunded back to the parties the fees. They of the Relying disputing the claim the Lok Adalat are called the members who of the Lok Adalat they were the Rely. of statutory conciliatory only and do not have any judicial Rely. therefore they can only provide the parties to come to a reconciliation among the parties to co-settle case are either directly or indirectly the Lok Adalat shall not decide the matter & then referne at last own instance in such the same shall be decided. On the basis of compromise or settlement between the parties the members shall assist the parties independently and impartial manner in their attempt to reach amicable Settlement of their dispute.



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Matter of case to be referred to Lok Adalat

- 1) Any case pending before any court
 - 2) Any dispute which is not brought before a court and is likely to be filed before the court
- provided that any matter relating to an offence not punishable under the law shall not be settled in Lok Adalat

which Lok Adalat to be approached

As per section 18(1) of the Act Lokha Adalat will have jurisdiction to determine and to arrive at a compromise or settlement between two parties to a dispute in respect of.

Any case pending before or

- 2) Any matter which is fitting within jurisdiction and is not brought before any court for which the LokAdalat is organised.

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How to get the case referred to the Loka Adalat for Settlement

- (A) Case Pending before the court
- (B) Any dispute at pre-litigious stage.

The State Legal Service Authority or District Legal Service Authority can refer any dispute on receipt of application from any of the parties at the pre-litigious stage may refer such matter to the Lokadalt Amalgamated Settlement of the dispute for which notice would be issued to party.

Level and Composition of Loka Adalat

At the State Authority Level The members

Secretary to the Loka Adalat Judicial Officer and any one or both of a member from the legal profession a social worker employed

in the upliftment of the weaker section and interest in the蒲MPIC mediation of legal services scheme or program.


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At High Court Level

The Secretary of the

High Court Legal Service Committee would constitute
Branch of the Lok Adalat each bench comprising
of a sitting or retired Judge of the High
Court and Any one or both of a
Member from the legal profession & Social
worried engaged in the upliftment of the
weaker section and interested in the implementation
Legal Service Program.

At District Level

The Secretary of the
District Legal Service Authority organize the
Lok Adalat would constitute Branch of the Lok Adalat
each bench comprising one sitting or retired
Judicial officer and any one both.

National Legal Adalat:-

National Legal Adalat and meets
for settling disputes where one or more legal
Adalat exist one through out the country,
in all the court Right from the
Supreme Court

Prakash
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Permanent Lok Adalat

The Permanent Lok Adalat is an organization of Lok Adalat. It is the Permanent Lok Adalat recognized under section 22-B of the Legal Service Authority Act 1987. Permanent Lok Adalats have been set up by government body with chairman the member of provideo two members, one as a confessor to the Lok Adalat and the procedure of a member of the Lok Adalat.

Mobile Lok Adalat

Mobile Lok Adalat are also organized in various parts the country which travel from one location to another to solve disputes in order to facilitate the resolution of disputes through the medium.



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CASE LIST

1) EX 12403 / 2022 (Execution Petition Under Order)

MIC THE DALUSSERY BENEFIT CHIT FUND LTD
V/S
UMA SHANKAR, P

under order 81 Rule 1(c) p.c

Case called out before the
 Lok Adalat Decree Holder present Judgment
 Debitor No. 246 one sum they were paid Rs
 1,50,000/- towards part payment of her debt amount
 Judgment Debtor No. 246 agreed to pay
 Remaining amount within next month
 Hence call on 20-07-2024

2) EX 12558 / 2022

KOTAK MAHENDRA BANK LTD
V/S
VENKATESHM

Advocate for decree holder filed application
 that this case their name case Advanced
 call out before Lok Adalat party absent
 Advt for decree holder filed memo for with
 Domicile In view of the same


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O.S / 519 / 2019

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CHINAMMA VIS NAYDU KV

case called out before Justice Adelst party
Absent and counsel for Plaintiff present defendant
No 1 present and prefer time for
Compromise matter is not settled hence.
Send brief to court call 30-07-2024

8) O.S / 520 / 2019

SANJEEVA REDDY JC
V/S

NAYDU KV

case called out before Justice Adelst party
Absent Advocate for defendant no present
Matter not sent back regular court call on 08-08-2024

9) O.S 520/ 2019 VITAYA LAKSHMI VIS ANN

case called out before Justice Adelst party
Absent Advocate for defendant no present
Star first notice has not received.

Send brief to court call on 08/08/2024


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③ O.S/2034/2023

ASHA HEMANTH M.B

VIS
HARISH KUMAR M.B

case called before the Col-Adelst The plaintiffs and Advocate for plaintiffs present Defendant And Advocate for defendant absent matter not settled sent back regular court call on 13-08-2024

④ DEEPIK V/S HARISH KUMAR OS/1149/2024

case called out before Col-Adelst Plaintiff And Defendant Advocate for plaintiff filed application under section 151 of CPC for extension of interim order call on 15-07-2024

⑤ O.S. 8730/2014

Ravikumar Ram VIS & Venkateswari V

case called out before Col-Adelst Plaintiff present and Defendant number 1 present and Roy time for compromise, matter is not settled. and send back to court for call

on 30-07-2024

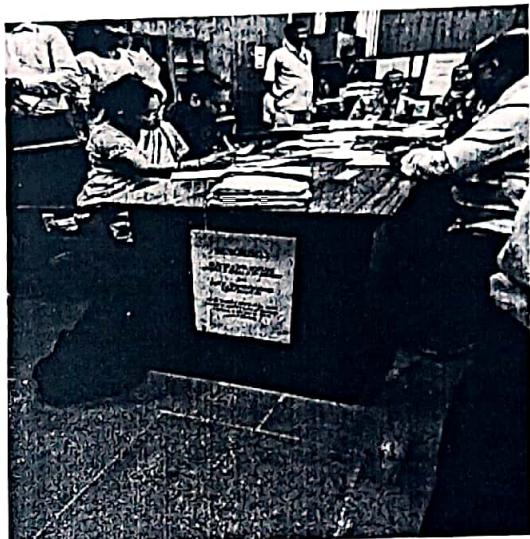

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Annexure A – photos of visit

Room no 28 – Hearing Process



Bench no 7 Hearing Process



With My Friends before the City Civil Court Premise


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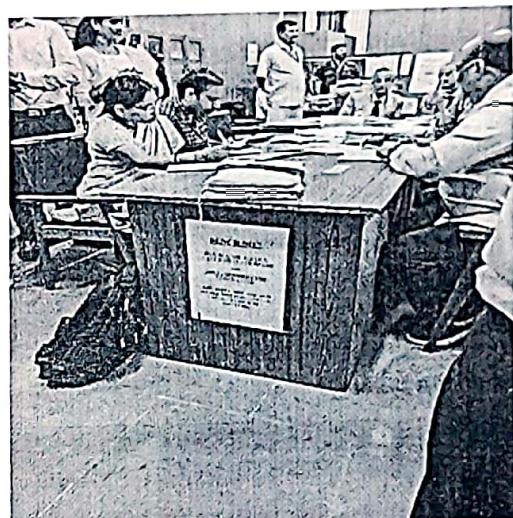
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Annexure A – photos of visit

Room no 28 – Hearing Process



Bench no 7 Hearing Process



With My Friends before the City Civil Court Premise

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VIVEKANANDA COLLEGE OF
LAW,

CLINICAL COURSE IV

LOK ADALAT REPORT

Submitted By. Shilpa. Y.S

Reg. No . 41QL9Q31036

Under the Guidance

1) K.B. Kempe Gowda.

Principal & professor

2) Shiranandu. D.S

Course Teacher

3) Hanumprakash. K.S

Assistant Professor

4) Swathi. B

Assistant Professor


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Particulars of visit

Venue of lok adalat :- City Civil Court Complex, Bengaluru

Date of lok adalat :- 13th July 2024

Mentoring teacher :-

01. Mr. Hanuma prakash K.S

02. Mr. Shivananda D.S


Principal
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Bengaluru-560 021

Purpose of lok adalat visit

The purpose of visit was to understand the working of a court, the nature of duties of the judicial officers in the matters of lokadala and also to observe how the concept of conciliated settlement of dispute in the traditional Indian culture in the form of Nyaya panchayats and Grampanchayats led to introduction of lok adalats which added a new chapter to the justice dispensation system of the country and that how it provides a supplementary form to the victims for satisfactory settlement of disputes. The visit helped me to gain practical knowledge and firsthand experience of the functioning of lokadals, supplementing classroom learning with real-world exposure. And to understand the role of lok-adalats in providing accessible justice to the

Marginalized and economically weaker sections of society. promoting a sense of social responsibility

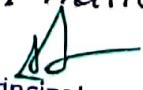
Introduction to Lok Adalat

NALSA (National Legal Services Authority) along with other legal service institutions conducts lok adalats. Lok Adalat is one of the alternative dispute resolution mechanisms. It is a forum where disputes/cases pending in the court of law or at pre-litigation stage are settled /compromised amicably. Lok Adalats have been given statutory status under the Legal Services Authorities Act, 1987 under the said act, the award (decision) made by the lok adalats is deemed to be a decree of a civil court and is final and binding on all parties and no appeal against such an award lies before any court of law if the parties are not satisfied such an award but they are free to

initiate litigation by approaching the court of appropriate jurisdiction by filing a case by following the required procedure in exercise of their right to litigate.

there is no court fee payable when a matter is filed in a lok adalat if a matter pending in the court of law is referred to the lok adalat and is settled. Subsequently, the court fee originally paid in the court on the complaints/petition is also refunded back to the parties.

the persons deciding the cases in the lok adalats are called the members of the lok adalats they have the role of statutory conciliators only and do not have any judicial role therefore they can only persuade the parties to come to a conclusion for settling the dispute outside the court in the lok adalat and shall not pressurize or coerce any of the parties to compromise or settle cases or matters either directly or indirectly.


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The lok adalat shall not decide the matter so referred at its own instance instead the same would be decided on the basis of the compromise or settlement between the parties the members shall assist the parties in an independent and impartial manner in their attempt to reach amicable settlement of their dispute

Nature of cases to be referred to lok adalat

- 01.- Any case pending before any court dispute which has not been broug
- 02.- Any -ht before any court and is likely to be filed before the court

(provided that any matter relating to an offence not compoundable under the law shall not be settled in lok adalat)

In which lok adalat to be approached

As per section 18 (1) of the act. a lok adalat shall have jurisdiction to determine disputes arising out of a compromise or

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Bengaluru-560 021

Settlement between the parties to a dispute in respect of

- (1) Any case pending before; or
- (2) Any matter which is falling within the jurisdiction of and is not brought before any court for which the Lok Adalat is organised.

(provided that the Lok Adalat shall have no jurisdiction in respect of matters relating to divorce or matters relating to an offence not compoundable under any law)

Report on visit to Lok Adalat at City Civil Court Complex, Bengaluru on

13 - 07 - 2024

On, Along with my friends visited the city civil court of Bengaluru to observe the Lok Adalat proceedings. It was exciting moment for us to watch Lok Adalat proceedings.



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Actually we observed the proceedings in court halls hereby classified as part - 1 and part - 2

PART - 1 :- Conciliator : Sri Jayaprakash
Advocate conciliator : Smt. Argungeen
CCH 67 : LXVI Additional City Civil
Judge

PART - 2 :- Conciliator : Smt Kumari Sugatha
Advocate conciliator :
Court SCCH - 15 XIII Additional
Judge Court of Small Causes &
ACJM


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PART - I Q. 11

Case list : [poor] CCH - 67

1. C.R.L.A 12/2018 : case called parties and their respective counsels were absent
2. O.S 4123/2019 : case called both parties & their advocates were present there was a damage happened to the property the petitioner was claiming 1 crore. 67 lakhs defendant was claiming 1 crore 67 lakhs requested to pay 50 lakhs. Conci-liaiton offered 75 lakhs After some discussion defendant agreed to pay 75 lakhs
 ∴ the case was settled.
3. O.S. 190/2022 : Both parties & their counsels were present. Defendant has agreed to pay 75 lakhs in 6 installments
 ∴ The case was settled.


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1. CRLA 536/2021 parties and their counsels were present. This was an appeal case and 7 years passed in the lower court.

The respondent agreed to receive 1,90,000 rupees including 12,500 rupees. ∵ The case was settled.

5. CRL-A 1849/2023 Both parties are present Respondent counsel was present petitioner counsel was present. This case was an appeal case under cheque bounce case (S-138 of NI act) conciliator suggested 49 lakhs, they took 5 minutes time. ∵ the case was settled.

6. FDP - 123/2023 Both parties & counsels were present. The case is regarding partition they requested 5 minutes time conciliator suggested 9 lakhs. ∵ The case was not settled.

200

case list (part - II) - SCCH - 18

1. MVC 1101 / 2024 - petitioner was present Both parties counsels were present petitioner claimed 20 lakhs finally the amount of 5. 25.000/- was suggested by the conciliator the petitioner accepted the 5. 25.000/- lumpsum offer and agreed to receive
∴ case was settled
2. MVC 4733 / 2022 Both parties were present & counsels were also present
∴ The case was not settled


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In Conclusion :-

The facility of lak adalat has ensured backlog in pendency of cases before court is cleared regularly and efficiently so wheels of justice could move forward efficiently.

We are thankful to Shri Shivananda D.S & Shri Harappa Prakash K.S faculty and guides at Vivekananda College of Law at Bengaluru for providing this opportunity and ways to attend Lak adalak.

Date :- 20/07/2024

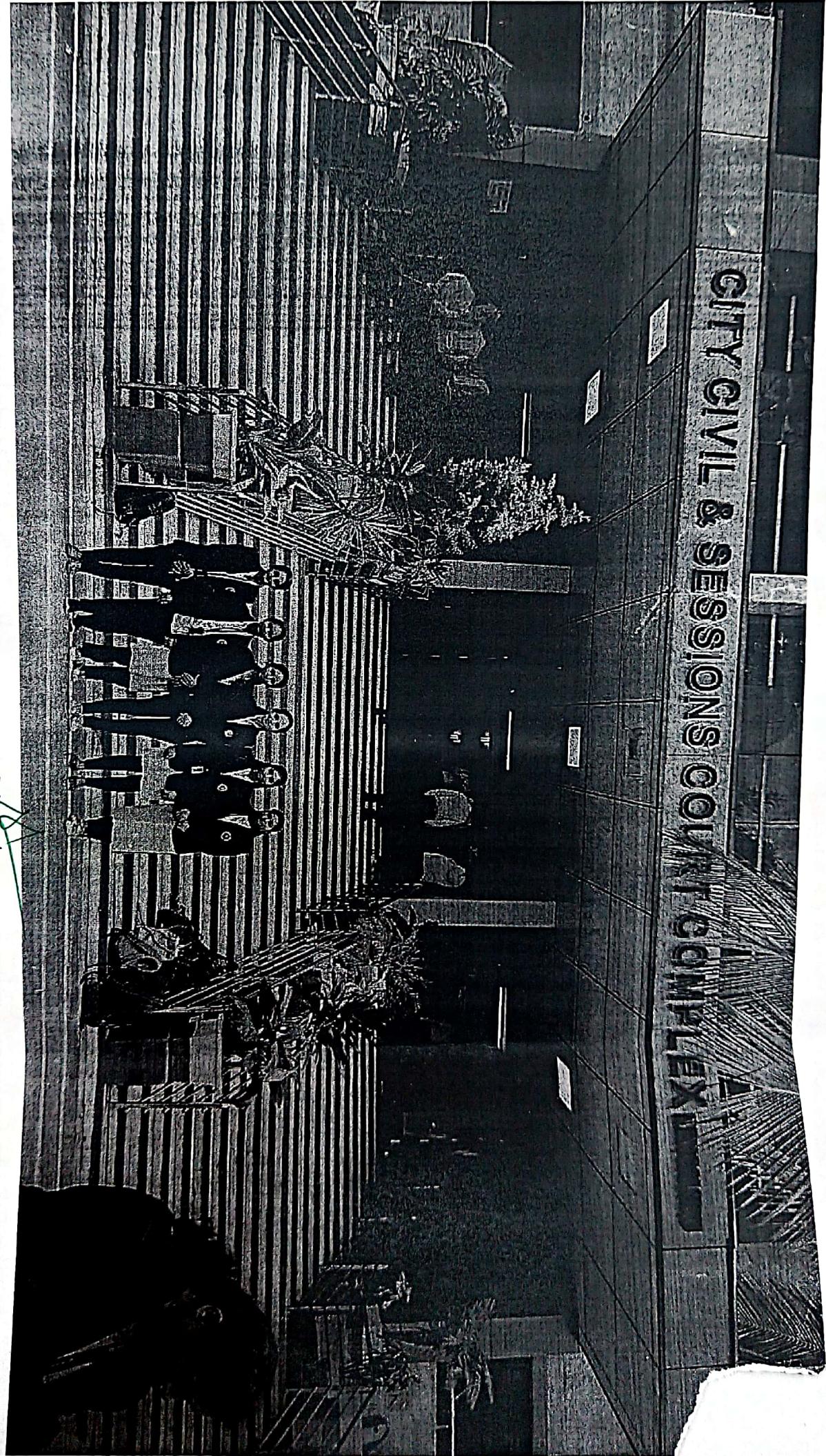
Place :- Bengaluru.



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CITY CIVIL & SESSIONS COURT COMPLEX



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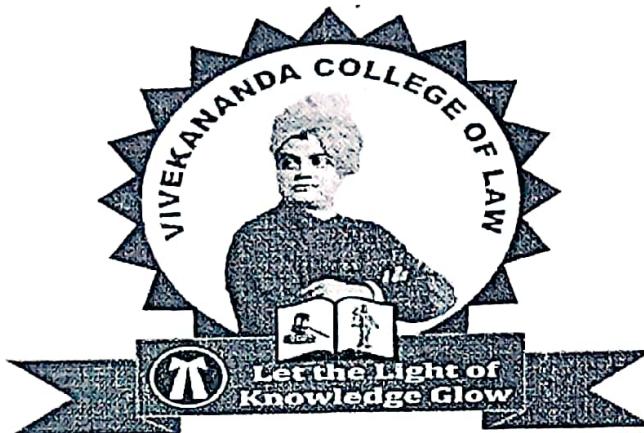
VIVEKANANDA COLLEGE OF LAW

Affiliated to the Karnataka State Law University and Recognised by the Bar Council of India

Accredited with B++ Grade by NAAC

#12/1, 3RD CROSS, MARUTHI EXTENSION, GAYATHRINAGAR, BENGALURU -560 021

(72)



SUBMISSION OF THE COURSE WORK CLINICAL COURSE – IV

MOOT COURT EXERCISE AND INTERNSHIP

Submitted By:

SHASHIDHARA N

Registration No: 41221111088

(In partial fulfilment for the award of the degree of Bachelor of Law)

Under the Guidance of:

Prof. Dr. K.B. Kempe Gowda, M.A., LL.M., Ph.D.

Professor and Principal
Vivekananda College of Law Bengaluru-
560021

1. Prof. Hanuma Prakash K S B A L., LL.M., KSET
(LAW)
Associate Professor (LAW)
Vivekananda College of Law
2. Prof. Mr. Shivananda D.S. B.COM., LL.M.
Course Teacher
Vivekananda College of Law
3. Smt. Swathi B Jayaram LL.M., MA Assistant
Professor
Vivekananda College of Law

(80)


Principal
Vivekananda College Of Law
Bengaluru-560 021

NAME : SHASHI DHARA . N.
Reg.no. : 41221111 088

Report on visit to Lok Adalat at city
Civil Court complex, Bengaluru on 13-07-2024

I, along with my friends visited the
City civil court of Bengaluru to observe
the Lok adalat proceedings. It was exciting
moment for us to watch Lok adalat
proceedings.

Actually, we observed the proceedings in
2 Court halls. Herby classified as
Part 1 and part 2.

Part - 1 : Conciliator :- Sri. Gaya Prakash A
Advocate Conciliator :- Smt. Anugraha
Court : CCH 67 : LXVI Addl. Civil Judge.
Part - 2 : Conciliator :- Smt. Kumari Sujatha

Principal Court : SCCH 15 - XIII Addl. judge,
Vivekananda College Of Law
Bengaluru-560 021
Court of Small Causes & ACJM.

PART - I

31

SL No.	Case No.	Proceedings
1.	CRL.A 12/2018	Case called parties and their respective counsels were absent.
2.	O.S. 4123/2019	<p>Case called. Both parties & their advocates were present.</p> <p>There was a damage happened to the property. The petitioner was claiming 1 crore 67 lakhs. Defendant was requested to pay 50 lakhs. Conciliator offered 75 lakhs.</p> <p>After 5 mins discussion defendant agreed to pay 75 lakhs.</p> <p>The case was settled.</p>
3.	O.S 190/2022	<p>Both parties & their counsels were present.</p> <p>Defendant has agreed to pay 75 lakhs in 6 installments.</p> <p>The case was settled.</p>


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Scanned with OKEN Scanner

4. CRL.A 536
2024 Both parties and their counsels were present.
 This was a appeal case and 7 years passed in the lower court.
 The respondent agreed to receive 1, 90,000 rupees including 12,500 rupees.
- The case was settled.
5. CRL.A 1849
2023 Both parties are present. Respondent counsel were present. petitioner counsel were absent.
 This case was appeal case under cheque bounce case (S. 138 of N.I.A)
- Conciliator suggested 4 weeks time. They took 5 months time. & the case was not settled.
6. FDP 123
2023 Both parties & counsels were present.
 The case is regarding partition.
 They requested 5 months time.
 Conciliator was suggested 9 weeks.
- The case was not settled.

PART - 2

33

S.L.	Case No.	Proceedings
1.	M.V.C 1101 2024	<p>The petitioner was present. Both parties counsels were present. petitioner was claimed to be Rs. 25,000/- Finally the amount of Rs. 25,000/- suggested by the conciliator. The petitioner accepted the Rs. 25,000 Rupees offer and agreed to receive.</p> <p>The case was settled.</p>
2.	M.V.C 4733 2022	<p>Both parties were present & counsels were present.</p> <p>The case was settled.</p> <p>After we had a discussion, in fact interaction with the conciliator & Advocate Conciliator They explained the process & some terms.</p> <p>In normal case (Mediation) we call a memo of understanding but in Lok Adalat we call it as a joint memo. no appeal against award.</p>

MOCK TRIAL REPORT

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Mock Trial report contents

Judge - Shekharip Sarkar

Typist - Chaitra

public prosecutor - Shashidhara N.

Accused Advocate - Srinivas Babu L.P

Mahalakshmi - Chandrika

Rajesh Jain - Madhu

I.O. - Srinivas

Accused - Setha Sai

Co - doctor - Lingaraju

Employee - Gunathree

I and my friends played our roles
in the mock trial report

It was on Monday 22/07/2024. It
was commenced by calling the case
number by bench clerk.

I, as a public prosecutor asked the
Court to give permission to examine

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the witness.

PW1-Investigating officer

PW2-Eye witness (Hospital Employee)

PW3-Mahalakshmi

PW4-Rajesh Jain

PW5-Co-doctor

Investigating officer Examination

I asked few questions to I.O. These are

P.P.- Can you please state your name, rank and designation?

I.O.- My name is Srinivas, I am a Sub-inspector of Karamur police station assigned as I.O. in this case

P.P.- Can you describe the crime scene when you arrived?

I.O.- When I arrived, I found Dr. Venkat -ulu lying on the floor of his office with a severe head injury. There

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was a metal rod near the body.

P.P - what evidence did you collect from the crime scene?

P.I.O : we collected the metal rod, took photographs of the scene, and gathered statements from the hospital staff present at the time.

P.P : Did you arrest the accused, Mr Krishnamurthy? If so, when and where?

I.O : Yes, we arrested Mr. Krishnamurthy the next morning at his residence in kabanur.

Mahalakshmi's Examination

P.P. - Are you familiar with Mr. Krishnamurthy? If so, how do you know him?

P.W.3 - Yes, Mr. Krishnamurthy is my neighbor in kabanur.

P.P - Can you confirm if your diamond necklace was stolen?

P.W.3 - Yes, my diamond necklace was stolen from my home.

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Defence counsel - NO cross examination

Rakesh Jain

He is an owner of Jewellery Shop
on the basis of humanity he paid
the amount of necklace to him
3 lakhs.

Judge: Any questions from defence counsel

Defence Counsel: No.

Co - Doctor

Co - Doctor expressed it was not of
sudden provocation & shock.

Judge: Any questions from defence

Defence Counsel: ~~No~~ Yes.

Defence Counsel: Do you endorse that
Mr. Kishore Murthy the accused
did not of the sudden shock

Co - doctor: said 'yes'.


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Co-employee

Co-employee said that accused did the act out of sudden shock.

Judge: Any questions?

Defense counsel - Not, No.

All the witnesses were examined & the necessary witness was called examine-ed.

Arguments

P.C's public prosecutor argued that Accused has the intention and mens rea and also he has not sudden & grave provocation but

Also it is proved by the circumstantial evidence that accused was considered to the doctor. Hence, he prayed to the Court that to convict accused under section 302 of I.P.C.


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Defence Counsel Argued that accused was enraged by the conduct of the doctor and hitted by rod. Hence he prayed to the Court that section 302 of I.P.C won't apply to him because of grave and sudden provocation.

Judgment

The Hon'ble judge pronounced the judgment

After listening the Arguments and trial. judge (learned judge) convicted the accused for 4 years of imprisonment under section 304 of Indian Penal Code.



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Vivekananda College Of Law
Bengaluru-560 021

MAPATHI.S

B.Com, LL.B.

ADVOCATE



Mobile : 9480017995
8861888892

17 November 2023

Certificate of Internship

This is to certify that Mr. Shashidhara N. the student of 4th Semester of L.L.B (3 years) of Vivekananda College of Law, Bengaluru, has undergone Internship in my office, starting from 17th October 2023 to 17th November 2023.

During the Internship, He attended Court proceedings in the Bengaluru City Civil Court, Chief Metropolitan Magistrate Court, Bengaluru. He was very keen in observing the proceedings and used to study case files listed before the said Courts and has maintained a case diary wherein he has noted the details of Court proceedings.

During his days of Internship, I observed that he has a lot of interest in learning and is keen to do research. He exhibited great research skills and use of digital legal databases. I am sure he will be a great asset to any senior lawyer as a junior counsel.

I wish him all the best and wish to see him again in my office.


Principal
Vivekananda College Of Law
Bengaluru-560 021


(Umapathi .S)
Umapathi .S Advocate

Legal Services
Advocates & Solicitors
No. 43, 3rd Floor, S.N.S Plaza,
Shivananda Circle, Kumara Krupa Road, BANGALORE-560001.
Mobile: 9480017995

No. 40, 3rd Floor, S.N.S. PLAZA,
Shivananda Circle, Kumara Krupa Road, BANGALORE-560001.
www.legalgroup.in

NARENDRA BABU.K M.sc, LL.B
Advocate & Consultant



CERTIFICATE:

This is to certify that Mr. Shashidhara.N,(Registration No: 41221111088) studying in 2nd semester LL.B (3 years) at Vivekananda College of Law, Bangalore, has attended the office from the 15th of October 2022 to the 16th of November 2022. During his internship, Mr. Shashidhara.N assisted the team in the following tasks:

- Research on legal Questions, Case Laws and Precedents
- Prepare Checklists of Legal Documents received and requisitioning for further documents necessary for Legal Scrutiny
- Drafting legal documents including but not limiting to Legal Scrutiny Reports, Sale Agreements, Sale Deeds and host of other Instruments
- Assist with the client meetings and preparing chronology of events
- Assist in drafting the Pleadings and Petitions
- Attend court hearings/Mediation Centre
- Assisting team in preparation and processing of Legal Documents necessary for Registration
- Documentation/Upkeep of Court Diary, Physical filing of cases, Notes and so on.

The office wishes Mr. Shashidhara. N a bright future in his future endeavors in the legal field.


Mr. Narendra Babu.K
Advocate and Legal Consultant

Date: 17/11/2022


Principal
Vivekananda College Of Law
Bengaluru-560 021

Office: 496/6, 1st Cross, Ayyappa Layout, Marathahalli, Bangalore-560037

Phone: +91-9845722288/9964214321 | e-mail: adv.narenbabu@gmail.com

A.POOGA SAWANTH,
Advocate,
Phone : (M) 7204283279
email:
advocatepoojasawanth19@gmail.com

Office: No.2521, First
Floor, 9th 'A' Cross, 13th Main
Road, E' Block, Near Skating
Ground, Sahakaranagar,
Bengaluru-560 092.

Date: 22.05.2023

CERTIFICATE

This is to certify that Mr. Shashidhara.N, student of LL.B (3 years) course (Registration No: 41221111088) in Vivekananda College of Law, Bangalore, has completed internship from the 20th April 2023 to the 21st of May 2023 under my guidance.

During his internship, Mr. Shashidhara.N assisted the team in the Legal Research, Case Laws and Precedents. Worked with the Real estate team and prepared Checklists of Legal Documents received and requisitioning for further documents necessary for Legal Scrutiny, has attended court hearing and mediation Centre, has attended client meeting and interacted with clients to seek clarifications and has maintained Court Diary during the period of internship.

Mr. Shashidhara. N has worked sincerely with our team and we wish him a bright future.


Principal
Vivekananda College Of Law
Bengaluru-560 021


A. Pooja Sawanth
Advocate

NIVEDITHA.N

B.Sc. LL.B.

ADVOCATE



En: YY10/48331

1st floor, Beside Triguna
Palm Springs Apt., Airport
road, Yelahanka,
Bengaluru-560064.

CERTIFICATE:

This is to certify that Mr. Shashidhara.N,(Registration No: 41221111088) studying in V semester LL.B (3 years) at Vivekananda College of Law, Bangalore, has attended the office from the 6th April 2024 to the 5th of May 2024. During his internship, Mr. Shashidhara.N assisted the team in the following tasks:

- Research on legal Questions, Case Laws and Precedents
- Prepare Checklists of Legal Documents received and requisitioning for further documents necessary for Legal Scrutiny
- Drafting legal documents including but not limiting to Legal Scrutiny Reports, Sale Agreements, Sale Deeds and host of other Instruments
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- Assist in drafting the Pleadings and Petitions
- Attend court hearings/Mediation Centre
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- Documentation/Upkeep of Court Diary, Physical filing of cases, Notes and so on.

The office wishes Mr. Shashidhara. N a bright future in his future endeavors in the legal field.


Mrs. Niveditha.N

Advocate and Legal Consultant

Date: 6/05/2024


Principal

Vivekananda College Of Law
Bengaluru-560 021

NIVEDITHA. N.
Advocate
1st Floor, Beside Triguna Palm,
Berings, Airport Rd Flyover, Ambedkar,
Colony, Yelahanka, Bengaluru-560064.



REPORT ON NATIONAL LOK ADALAT

AT
CITY CIVIL COURT COMPLEX, Bengaluru
(On 13-07-2024)

Under the Guidance of:

Prof. Dr. K.B. Kempe Gowda, M.A., LL.M., Ph.D.
Professor and Principal
Vivekananda College of Law
Bengaluru-560 021

Mr. Hanuma Prakash K S B A L., LL.M., KSET (LAW) **Mr. Shivananda D.S. B.COM., LL.M.**
Associate Professor (LAW) Course Teacher
Vivekananda College of Law
Bengaluru-560 021

Submitted By:

Sowmyasree. P.K
41221111092
3 YEAR LL.B (6th SEMESTER)
Vivekananda College of Law


Principal
Vivekananda College Of Law
Bengaluru-560 021

Purpose of Lok Adalat visit

The purpose of visit was to understand the working of a court, the nature of duties of the Judicial Officers in the matters of Lok Adalat and also observe how the concept of conciliated settlement of dispute in the traditional Indian Culture in the form of Nyaya Panchayats and Gram Panchayats led to introduction of Lok Adalats which added a new chapter to the justice dispensation system of the country and that how it provides a supplementary forum to the victims for satisfactory settlement of disputes.

The visit helped me to gain practical knowledge and firsthand experience of the functioning of Lok Adalats, supplementing classroom learning with real-world exposure. And to understand the role of Lok-Adalat in providing accessible justice to the marginalized and economically weaker sections of society, promoting a sense of social responsibility.



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Introduction to Lok Adalat

NALSA (National legal services authority) along with other legal services institutions conducts Lok Adalats. Lok Adalat is one of the alternative dispute resolution mechanisms, it is a forum where disputes/cases pending in the court of law or at pre-litigation stage are settled/compromised amicably. Lok Adalats have been given statutory status under the legal services authorities act, 1987, under the said act. The award (decision) made by the Lok Adalats is deemed to be a decree of a civil court and is final and binding on all parties and no appeal against such an award lies before any court of law. If the parties are not satisfied with the award of the Lok Adalat though there is no provision for an appeal against such an award, but they are free to initiate litigation by approaching the court of appropriate jurisdiction by filing a case by following the required procedure, in exercise their right to litigate.

There is no court fee payable when a matter is filed in a Lok Adalat, if a matter pending in the court of law is referred to the Lok Adalat

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and is settled subsequently. The court fee originally paid in the court on the complaint/petition is also refunded back to the parties. The persons deciding the cases in the Lok Adalats are called the members of the Lok Adalats, they have the role of statutory conciliators only and do not have any judicial role; therefore, they can only persuade the parties to come to a conclusion for settling the dispute outside the court in the Lok Adalat and shall not pressurize or coerce any of the parties to compromise or settle cases or matters either directly or indirectly.

The Lok Adalat shall not decide the matter so referred at its own instance, instead the same would be decided on the basis of the compromise or settlement between the parties. The members shall assist the parties in an independent and impartial manner in their attempt to reach amicable settlement of their dispute.

Nature of cases to be referred to Lok Adalat.

Any case pending before any court.

Any dispute which has not been brought before any court and is likely to be filed before the court.

Provided that any matters relating to an offence not compoundable under the law shall not be settled in Lok Adalat.

Which Lok Adalat to be Approached

As per section 18(1) of the Act, a Lok Adalat shall have jurisdiction to determine and to arrive at a compromise or settlement between the parties to a dispute in respect of -

- (1) Any case pending before; or
- (2) Any matter which is falling within the jurisdiction of, and is not brought before, any court for which the Lok Adalat is organised.

Provided that the Lok Adalat shall have no jurisdiction in respect of matters relating to divorce or matters relating to an offence not compoundable under any law.

How to Get the Case Referred to the Lok Adalat for Settlement.

- (a) Case pending before the court.
- (b) Any dispute at pre-litigative stage.

The State Legal Services Authority or District Legal Services Authority as the case may be on receipt of an application from any one of the parties at a pre-litigation stage may refer such matter to the Lok Adalat for amicable settlement of the dispute for which notice would then be issued to the other party.


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Which Lok Adalat to be Approached

- (1) As per section 18(1) of the Act, a Lok Adalat shall have jurisdiction to determine and to arrive at a compromise or settlement between the parties to a dispute in respect of -
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Levels and Composition of Lok Adalat

At the State Authority Level:-

The Member Secretary of the State Legal Services Authority organizing the Lok Adalat would constitute benches of the Lok Adalat, each bench comprising of a sitting or retired judge of the High Court or a sitting or retired judicial officer and any one or both of - a member from the legal profession; a social worker engaged in the upliftment of the weaker sections and interested in the implementation of legal services schemes or programmes.

At High Court Level -

The Secretary of the High Court Legal Services Committee would constitute benches of the Lok Adalat, each bench comprising of a sitting or retired judge of the High Court and any one or both of a member from the legal profession; a social worker engaged in the upliftment of the weaker sections and interested in the implementation of legal services schemes or programmes.

At District Level -

The Secretary of the District Legal Services Authority organizing the Lok Adalat would constitute benches of Lok Adalat, each bench comprising of a sitting or retired



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Judicial officer and any one or both of either a member from the legal profession; and/or a social worker engaged in the upliftment of the weaker sections and interested in the implementation of legal services schemes or programmes or a person engaged in para-legal activities of the area, preferably a woman.

At Taluk Level -

The Secretary of the Taluk Legal Services Committee organizing the Lok Adalat would constitute benches of the Lok Adalat, each bench comprising of a sitting or retired judicial officer and any one or both of either a member from the legal profession; and/or a social worker engaged in the upliftment of the weaker sections and interested in the implementation of legal services schemes or programmes or a person engaged in para-legal activities of the area, preferably a woman.

National Lok Adalat:

National Level Lok Adalat are held for at regular intervals where on a single day Lok Adalats are held throughout the country, in all the court's nights from the Supreme Court till the Taluk Levels wherein cases are disposed off in huge numbers. From February 2015, National Lok Adalats are being held on a specific subject matter every month.



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Permanent Lok Adalat

The other type of Lok Adalat is the Permanent Lok Adalat, organized under Section 22-B of the Legal Services Authorities Act, 1981. Permanent Lok Adalats have been set up as permanent bodies with a chairman and two members for providing compulsory pre-litigative mechanism for conciliation and settlement of cases relating to Public Utility Services like transport, postal, telegraph etc. Here, even if the parties fail to reach to a settlement, the Permanent Lok Adalat gets jurisdiction to decide the dispute, provided, the dispute does not relate to any offence. Further, the Award of the Permanent Lok Adalat is final and binding on all the parties. The jurisdiction of the Permanent Lok Adalat is upto Rs. Ten Lakhs. Here if the parties fail to reach to a settlement, the Permanent Lok Adalat has the jurisdiction to decide the case. The award of the Permanent Lok Adalat is final and binding upon the parties. The Lok Adalat may conduct the proceedings in such a manner as it deems appropriate, taking into account the circumstances of the case, wishes of the parties like requests to hear oral statements, speedy settlement of dispute etc.



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Mobile Lok Adalats are organized in various parts of the country which travel from one location to another to resolve disputes in order to facilitate the resolution of disputes through this mechanism.

As on 30.09.2015, more than 15.14 lakhs Lok Adalats have been organized in the country since its inception. More than 8.25 crore cases have been settled by this mechanism so far.

CASE LIST :

1. EK/2403/2022 (Execution Petition under Order)

M/s The Baluserry Benefit Chit Fund Pvt Ltd

versus

Umashankar, P.

Under ORDER 21 RULE 11 of CPC

Case called out before the Lok-Adalat. Decree holder present. Judgment Debtor Nos. 2 to present. They have paid ₹. 150,000/- towards part payment of the decree amount and Judgment Debtor Nos. 2 to 6 agreed to pay remaining amount. Matter not completely settled. Hence, call on 20-07-2024.



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D. EK/2558/2022

Kolak Mahindra Bank Ltd

versus

Venkatesan. M

Advocate for Decree Holder filed application to advance this case to this date. Hence, case advanced case called out before Lok - Adalat. Parties absent.

Advocate for Decree Holder filed memo for withdrawal. In view of the same, matter is settled as withdrawn. Close the case.

B. O.S./6881/2020

Stephan. J

versus

M/s. Green Infratech

Case called out before the Lok - Adalat. Plaintiff, Managing Partner of defendant present. Both counsel present and they filed joint memo stating that defendant agreed to pay ₹ 8,00,000/- on 30.08.2024 and ₹ 6,00,000/- on 30.09.2024. The contents of compromise read over the parties. They admitted the correctness of compromise petition. The compromise is lawful and same is accepted. Suit decree in terms of compromise. Office to refund admissible court - fee to the plaintiff on proper identification.

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4. O.S./2034/2023

Asha Hemaraj. H.B

versus

Girish Kumar H.B.

Case called out before the Lok-Adalat. The plaintiff and Advocate for plaintiff present. Defendant and advocate for defendant absent. Hence matter not settled, sent back to regular court. Call on 13-08-2024.

5. O.S/116/2024

Dipeka. A.J

versus,

Girish Kumar. S

Case called out before Lok-Adalat. Plaintiff and defendant absent. Advocate for plaintiff filed application under Section 151 of CPC, for extension of interim order.

Call on 15-07-2024.

6. O.S/8730/2014

Ravikumar. M

versus

Kumar swamy. V.

Case called out before Lok-Adalat. Plaintiff present and counsel for plaintiff present. Defendant No.1 present and prays time for compromise. Matter is not settled. Hence, send back to court. Call on 30-07-2024.

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7. O.S/519/2019

Chinnamma

versus

Naidu. K.V

Case called out before Lok-Adalat. Parties absent.

Advocate for defendant No. 1 present. Matter not settled.
Hence, matter sent back to regular court. Call on

08-08-2024.

8. O.S/520/2019

Sanjeera Reddy J.C

versus

Naidu. K.V

Case called out before Lok-Adalat. Parties absent.

Advocate for defendant No. 1 present. Matter not settled. Hence,
matter sent back to regular court. Call on 08-08-2024.

9. O.S./1513/2024.

Vijay Lakshmi

versus

Ananda. N.C

Case called out before Lok-Adalat. Parties absent.

Advocate for defendant No. 1 stated that matter is not
settled. Hence, matter sent back to court. Call on 07-08-2024.


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10. O.S/4720/2023

Sunil Kumar Jain

versus

Tejavathi. K

Case called out before Lok-adalat. Plaintiff present. Advocate for plaintiff filed memo stating that matter is settled out of the court and intended to withdraw the suit. Hence, suit is dismissed as withdrawn. Office to return original documents by replacing the certified copies. Office to refund admissible court-fee to the plaintiff on proper identification.



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CONCLUSION

Here, the facility of Lok Adalat has ensured backlog in pendency of cases before court is cleared regularly and efficiently so wheels of Justice could move forward efficiently.

We are thankful to Shri. Shivananda D.S & Shri. Hanuma Prakash K.S faculty and guides at Vivekananda College of Law at Bengaluru for providing this opportunity and ways to attend Lok Adalat.

Date : 22/07/2024

Place : Bengaluru.


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REPORT ON NATIONAL LOK ADALAT

AT
CITY CIVIL COURT COMPLEX, Bengaluru
(On 13-07-2024)

Under the Guidance of:

Prof. Dr. K.B. Kempe Gowda, M.A., LL.M., Ph.D.

Professor and Principal

Vivekananda College of Law

Bengaluru-560 021

Mr. Hanuma Prakash K S B A L., LL.M., KSET (LAW) Mr. Shivananda D.S. B.COM., LL.M.

Associate Professor (LAW)

Vivekananda College of Law

Bengaluru-560 021


Principal

Vivekananda College Of Law
Bengaluru-560 021

Submitted By:

SHIVRAJ N.V

41221111089

3 YEAR LL.B (6th SEMESTER)

Vivekananda College of Law

Purpose of Lokadala visit

The purpose of visit was to understand the working of a court, the nature of duties of the judicial officers in the matters of Lokadala and also to observe how the concept of conciliated settlement of dispute in the traditional Indian culture in the form of Nyaya Panchayats and Grampanchayats led to introduction of Lokadala which added a new chapter to the justice dispensation system of the country and that how it provides a supplemental forum to the victims for satisfactory settlement of disputes.

The visit helped me to gain practical knowledge and firsthand experience of the functioning of Lokadala, supplementing classroom learning with real-world exposure and to understand the role of Lokadala in providing accessible justice to the marginalized and economically weaker sections of society, promoting a sense of social responsibility.



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Particulars of visit

Venue of Lok adalat :- city civil court complex, Bengaluru

Date of Lokadalat :- 13th July 2024

Mentoring teacher :-

1. Mr. Hanuma Prakash K.S
2. Mr. Shivananda D.S


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Purpose of Lokadalat visit

The purpose of visit was to understand the working of a court, the nature of duties of the judicial officers in the matters of Lokadalat and also to observe how the concept of conciliated settlement of dispute in the traditional Indian culture in the form of Nyaya Panchayats and Grampanchayats led to introduction of Lokadalats which added a new chapter to the justice dispensation system of the country and that how it provides a supplementary forum to the victims for satisfactory settlement of disputes.

The visit helped me to gain practical knowledge and firsthand experience of the functioning of Lokadalats, supplementing classroom learning with real-world exposure and to understand the role of Lokadalats in providing accessible justice to the marginalized and economically weaker sections of society, promoting a sense of social responsibility.



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Introduction to lok adalat

NALSA (National Legal Services Authority) along with other legal services institutions conducts lok adalats. lok adalat is one of the alternative dispute redressal mechanisms. It is a forum where disputes / cases pending in the court of law or at pre-litigation stage are settled / compromised amicably. lok adalats have been given statutory status under the legal services authority act 1987. Under the said act, the award (decision) made by the lok adalats is deemed to be a decree of a civil court and is final and binding on all parties and no appeal against such an award lies before any court of law if the parties are not satisfied with the award of the lok adalat though there is no provision for an appeal against such an award, but they are free to initiate litigation by approaching the court of appropriate jurisdiction by filing a case by following the required procedure, in exercise of their right to litigate.

There is no court fee payable when a matter is filed in a lok adalat, if a matter pending in the court of law is referred to the

lok adalat and is settled subsequently the court fee originally paid in the court on the complaints/petition is also refunded back to the parties. the persons deciding the cases in the lok adalats. they have the role of statutorily conciliators only and do not have any judicial role; therefore, they can only persuade the parties to come to a conclusion for settling the dispute outside the court in the lok adalat and shall not pressurize or coerce any of the parties to compromise or settle cases or matters either directly or indirectly.

the lok adalat shall not decide the matter so referred at its own instance, instead the compromise or settlement between the parties. the members shall assist the parties in an independent and impartial manner in their attempt to reach amicable settlement of their dispute.



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Nature of cases to be referred to Lok Adalat

1. Any case pending before any court
2. Any dispute which has not been brought before any court and is likely to be filed before the court

(provided that any matter relating to an offence not compoundable under the law shall not be settled in Lok Adalat)

which Lok Adalat to be approached

As per section 18(1) of the act, a Lok Adalat shall have jurisdiction to determine & to arrive at a compromise or settlement between the parties to a dispute in respect of -

- (1) Any case pending before;
- (2) Any matter which is falling within the jurisdiction of and is not brought before any court for which the Lok Adalat is organised

(provided that the Lok Adalat shall have no jurisdiction in respect of matters relating to divorce or matters relating to an offence not compoundable under any law)

Report on visit to lok adalat at city civil court 'complex' Bengaluru on 13/07/24

1. Along with my friends visited the city civil court of Bengaluru to observe the lok adalat proceedings it was exciting moment for us to watch lok adalat proceedings actually we observed the proceedings in 2 court halls, hereby classified as Part-1 and Part-2

PART-1:- conciliator: Sri Jaya Prakash A,
Advocate conciliator: Smt. Ajungan
CCH 67: LXVI Additional city civil
judge

PART-2:- conciliator: Smt Kumari Sugatha
Advocate conciliator: court -SCCH-
15 XIII Additional Judge court of
small causes & ACJM


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4. CRLA 521/2018

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PART - I & II

case list: [Part - I] ECH-67

1. CRLA 121/2018: case called parties and their respective counsels were absent
2. O.S 423/2019: case called both parties & their advocates were present, there was a damage happened to the property, the petitioner was claiming 1 crore, 67 lakhs, defendant was requested to pay 50 lakhs, conciliator offered 75 lakhs
After 5 minutes discussion defendant agreed to pay 75 lakhs
 \therefore The case was settled

3. O.S 190/2022: Both parties & their counsels were present. Defendant had agreed to pay 75 lakhs in 6 installments

\therefore The case was settled



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4. CRLA 536/2024 Both parties and their counsels were present, this was a appeal case and 7 years passed in the lower court.

The respondent agreed to receive 1,90,000 rupees including 12,500 rupees

∴ The case was settled

5. CRL-A 1849/2023 Both parties are present Respondent counsel was present, petitioning counsel was present. this case was appeal case and cheque bounce case (s-138 of NI act) conciliator suggested 49 lakhs, they took 5 minutes time.

∴ The case was settled

6. FDP - 123/2023 Both parties & counsels were present, the case is regarding partition, they requested 5 minutes time conciliator suggested 9 lakhs

∴ The case was not settled.



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In conclusion, the facility of lok adala has ensured backlog in pendency of cases before court is cleared legally and efficiently so wheels of Justice could move forward efficiently

We are thankful to Shri. Shivananda D.S & Shri Hanuma Prakash K.S faculty and guides at Vivekananda College of Law at Bengaluru for providing this opportunity and ways to attend lok adalat

Date :- 23/07/2024

Place :- Bengaluru


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Case list - (Part - II) - SCCH-15

1. MVC 1101/2024 - petitioner was present
Both parties counsels were present, petitioner claimed 20 lakhs, finally the amount of ₹ 25,000/- was suggested by the conciliator. The petitioner accepted the ₹ 25,000/- offer and agreed to receive.
 \therefore case was settled
2. MVC 4733/2022 Both parties were present & counsels were also present
 \therefore The case was not settled



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