



LAW CRUMBS

Why spend years in court when a handshake could settle it faster?

With over 4.7 crore cases pending in Indian courts as of May 2022, the Mediation Act, 2023, offers a quicker, cost-effective, and confidential alternative to traditional litigation.

80 %
Success Rate

MEDIATION VS LITIGATION

Mediation Act, 2023

Recognized Mediation Modes: Establishes pre-litigation, online, and community mediation as valid processes; enforces domestic mediated settlements but excludes those conducted abroad.

Regulation & Framework: Creates the Mediation Council of India, sets time limits, ensures confidentiality, and updates laws like the Indian Contract Act to align with mediation practices.

Objective: Promotes mediation as a primary mode of dispute resolution, granting legal validity to settlements conducted within India.

BENEFITS FOR INDIVIDUALS AND FAMILIES

Efficient and Affordable Outcomes

- **Swift Resolutions:** Family disputes are often settled within 2-3 months, in stark contrast to the prolonged timelines of litigation.
- **Lower Costs:** Mediation eliminates unnecessary court fees and extended legal procedures, with shared mediator fees significantly lower than litigation expenses.



Resolving Disputes Sensitively

- **Family and Matrimonial Conflicts:** Mediation promotes open communication and understanding in a private, supportive environment.
- **Preserving Relationships:** Encourages collaborative solutions that maintain familial bonds and mutual respect.

Mediation restores harmony

70% of family disputes at Delhi's High Court resolve amicably.



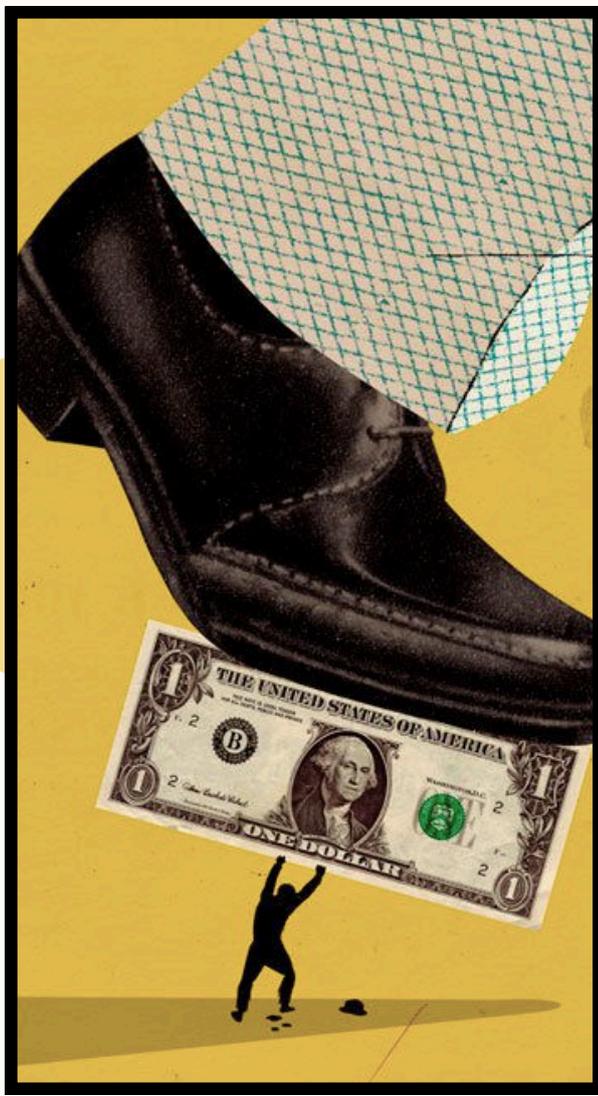
WHY BUSINESSES CHOOSE MEDIATION

Timely Resolution

With over **58 lakh civil cases pending in India**, mediation ensures disputes are resolved within an **average of 2-3 months**.

Business Continuity

Quick dispute resolution minimizes disruptions, allowing businesses to focus on growth and operations.



Cost Savings and Reputation Management

- **Reduced Expenses:** Mediation avoids the direct and indirect costs associated with litigation, such as court fees and reputational damage.
- **Confidentiality:** Ensures disputes remain private, safeguarding corporate reputations and maintaining stakeholder trust.

Retain Control

Unlike litigation, where outcomes are dictated by the court, mediation allows parties to retain control over the resolution process, guided by a neutral mediator facilitating constructive dialogue.

COURTS ADVOCATE MEDIATION

A New Era of Dispute Resolution

*Justice delayed is justice denied
mediation ensures it's neither.*

Specialized Mediation Centers

Mediation centers like the **Delhi High Court Mediation Centre (Samadhan)** play a vital role in promoting mediation. These centers assist in resolving disputes efficiently, reducing the burden on courts while ensuring confidentiality and amicable outcomes for the parties involved.



Pre-Litigation Mediation as a Requirement

Section 12A of the **Commercial Courts Act, 2017**, mandates pre-institution mediation for commercial disputes.

Landmark cases such as **Laxmi Polyfab Pvt. Ltd. v. Eden Realty Ventures Pvt. Ltd. And Another, (2021) 47 CGL 396 (Cal.)** and **Kapil Goel Vs. Ram Dulare Yadav (2022) ibclaw.in 482 HC.**