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**HIGH COURT OF HIMACHAL PRADESH, SHIMLA – 171 001**

HHC/Rules/CPADR/05-II-

Dated:5.5.2016

**Notification**

In exercise of the powers conferred, by Section 89 (2)(d) and Part-X of the Code of Civil Procedure, 1908, the High Court of Himachal Pradesh is pleased to make following amendments in Part-II of the High Court of Himachal Pradesh Civil Procedure Alternative Dispute Resolution and Mediation Rules 2005.

**1. Short title and commencement:-**

- i. These Rules shall be called “**High Court of Himachal Pradesh Civil Procedure Alternative Dispute Resolution and Mediation (3<sup>rd</sup> Amendment-2015) Rules, 2005**”
- ii. These Rules shall come into force from the date of publication in the official gazette, which term includes e-gazette of the State of Himachal Pradesh.

**2. Amendments:**

The existing Part-II, “**Civil Procedure Mediation Rules**”, shall stand deleted and substituted by new Part-II “**Mediation Rules**” as under:

**Rule 1. Title: These Rules in Part-II shall be called “The Mediation Rules, 2005”**

**Rule 2.**

**Functions of the Mediation Centre:**

- i. The Mediation Centre shall maintain a panel of trained Mediators sufficient in number to meet the requirement of work referred to it.
- ii. On the receipt of matter by way of referral for mediation, the co-ordinator of the Mediation Centre may assign it to any Mediator whom he considers best suited to deal with the matter, from the panel of Mediators maintained by the Mediation Centre.
- iii. The mediation shall not be limited only to the issues involved in the referred dispute and the Mediator may also take into account all other disputes between the parties to a case which are not the subject of the pending litigation and may resolve all of them.
- iv. The counsels of the parties can also participate in the mediation process.
- v. In appropriate cases, the Mediation Centre may invite any person or persons, other than the parties to a case including an expert pertaining to any field, to join the mediation with a view to evolve a comprehensive and complete solutions of the disputes.
- vi. If any party to the dispute referred to the mediation, has any objection to the Mediator assigned to it, it shall inform the Mediation Centre of the same.

