

TILAK MAHARASHTRA VIDYAPEETH, PUNE
BACHELOR OF LAWS (LL.B.) (Three Years Semester Pattern)/
B.A. LL.B. (ACADEMIC LAW)

(FIVE YEARS SEMESTER PATTERN) CREDIT SYSTEM

EXAMINATION : MAY-JUNE - 2023

SEVENTH/THIRD SEMESTER

Sub.: Arbitration, Conciliation and Alternate Dispute Resolution System (LW-7004/304)

Date : 01/06/2023

Total Marks : 60

Time: 2.00 pm to 4.30 pm

Instructions: 1) All questions are compulsory.
2) Figure indicate to the right full marks.

Q. 1. Answer the following question. (15)

A) The concept of two tier arbitration has been introduced to bring transparency, fairness and speedy remedy to the parties. Elucidate the validity of two tier arbitration with relevant case laws and also whether the appellate arbitrator has the power to set-a-side the award of the arbitrator on merit?

OR

B) Analyze the evolution of conciliation as a mode of dispute settlement. What is the nature and scope of the Settlement Agreement entered into between the parties to a dispute in conciliation proceeding?

Q. 2. Answer the following question. (15)

A) Discuss the powers and jurisdiction of Lok Adalats for the settlement of dispute and resources and achievements of Lok Adalat.

OR

B) What is Arbitration Agreement? Explain the essential elements of Arbitration Agreement.

Q. 3. Write Short Notes. (any four) (20)

- a) Registrartion of an Award
- b) Difference between Arbitration and concilliation
- c) Jurisdiction of Arbitral Tribunal
- d) Role of conciliator
- e) Statement of Claim and defence
- f) Difference between judicial adjudication and arbitration

Q. 4. Answer the following questions. (10)

A) 'A' is appointed as a sole arbitrator by 'B' and 'C' to settle their dispute. 'A' and his wife invested in 'B' company. 'A' gives verdict in favour of 'B'. 'C' discovers this after two months of the Award. Can 'C' ask for setting a side of the award ?

OR

B) Arbitration Agreement was existed between Mr Pravin and Mr. Dinesh for some dispute. After having a dispute Mr. Dinesh with out informing Mr. Pravin submit the dispute to Arbitrator.

Q.1 Can Mr. Dinesh do so? What will be the effect of Arbitration procedure if Mr.Dinesh fails to communicate his statement of defence to an arbitrator?

Q.2 An Arbitrator without giving sufficient notice to Mr. Pravin declares an ex-parte award. Advice Mr. Dinesh