

# National Workshop for High Court Justices on Commercial Laws [P-1322]

17<sup>th</sup> - 18<sup>th</sup> December 2022

At National Judicial Academy (NJA), Bhopal

## Tentative Programme Schedule

TIMING	SESSION(S)
<b>Saturday</b>	<b>Day-1: 17.12.2022</b>
10:00AM - 11:30AM  (11:15AM – 11:30AM Q&A/Discussion)	<b>SESSION 1</b> <b>Commercial Courts Act: Genesis, Benefits and Challenges</b>  <u>Proposed Scope of Discussion</u> <ul style="list-style-type: none"><li>• Context &amp; nature of Commercial Disputes</li><li>• Mandatory compliances under the Act: Processes &amp; timelines</li><li>• Specified Value of Commercial Disputes</li><li>• Pre-institution Mediation &amp; Settlement</li><li>• Case Management Hearings</li></ul>
11:30AM - 12:00 PM	<b>Tea Break</b>
12:00PM - 01:30PM  (1:15PM – 1:30PM Q&A/Discussion)	<b>SESSION 2</b> <b>Interpretation of Construction and Infrastructure Contracts</b>  <u>Proposed Scope of Discussion</u> <ul style="list-style-type: none"><li>• Public Private Partnership (PPP) (Concession model)<ul style="list-style-type: none"><li>– Design, Build, Finance, Operations &amp; Transfer Contracts</li><li>– Operation and Management Contracts</li></ul></li><li>• Disputes under building &amp; Development Contracts</li><li>• Composite and Split Contract</li><li>• Design &amp; Build Contract</li></ul>
01:30PM - 02:30PM	<b>Lunch</b>
02:30PM - 04:00PM  (03:45PM – 04:00PM Q&A/Discussion)	<b>SESSION 3</b> <b>Intellectual Property Rights: Infringement &amp; Enforcement</b>  <u>Proposed Scope of Discussion</u> <ul style="list-style-type: none"><li>• IP Infringement: Civil and Criminal Remedy</li><li>• Specified Value' of IP suits under Commercial Courts Act</li><li>• Arbitrability of Intellectual Property disputes</li><li>• Pecuniary jurisdiction of courts in IPR disputes</li><li>• Culture of “Interim Relief”: scope &amp; impact assessment</li><li>• Transfer of suits u/s 7 of Comm. Courts Act.</li></ul>

Sunday	Day-2: 18.12.2022
10:00AM - 11:30AM  (11:15AM – 11:30AM <i>Q&amp;A/Discussion</i> )	<b>SESSION 4</b> <b>Arbitration and conciliation Act: Towards a Model Dispute Resolution</b>  <u><i>Proposed Scope of Discussion</i></u> <ul style="list-style-type: none"> <li>• The Arbitration and Conciliation (Amendment) Act, 2019 &amp; 2021</li> <li>• Limiting Judicial Intervention</li> <li>• Qualifications, experience and norms for accreditation of arbitrators.</li> <li>• Arbitration Council of India &amp; its composition</li> <li>• Relaxation of time limits &amp; completion of written submissions</li> <li>• Confidentiality of proceedings</li> </ul>
11:30AM - 12:00 PM	<b>Tea Break</b>
12:00PM - 01:30PM  (1:15PM – 1:30PM <i>Q&amp;A/Discussion</i> )	<b>SESSION 5</b> <b>Recognition &amp; Enforcement of Arbitral Awards</b>  <u><i>Proposed Scope of Discussion</i></u> <ul style="list-style-type: none"> <li>• Convention on the Recognition and Enforcement of Foreign Arbitral Award (New York, 1958)</li> <li>• Foreign judgments from non-reciprocating countries</li> <li>• Public policy and enforcement of international arbitration awards</li> <li>• Conditions &amp; limitation period for enforcement of arbitral awards</li> <li>• Challenges in executing foreign arbitral awards in India</li> <li>• Miscellaneous and procedural aspects</li> </ul>
01:30PM - 01:45PM	<i>Audit of the Course by Participant Judges</i>
01:45PM	<b>Lunch &amp; Departure</b>

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