

**National Judicial Academy**  
**P-1340: National Workshop for High Court Justices on Commercial Law**  
**1<sup>st</sup> – 2<sup>nd</sup> April, 2023**

**Programme Coordinator** : Prof. Dr. Geeta Oberoi & Ms. Shruti Jane Eusebius

<b>I. OVERALL</b>				
<b>PROPOSITION</b>	<b>To a great extent (%)</b>	<b>To some extent (%)</b>	<b>Not at all (%)</b>	<b>Remarks</b>
a. The objective of the programme was clear to me	<b>88.00</b>	<b>12.00</b>	-	11. In case the pen drive containing the study material can be send in advance. It may serve well.
b. The subject matter of the programme is useful and relevant to my work	<b>76.00</b>	<b>24.00</b>	-	11. Subject has cases coming for adjudication before the bench.
c. Overall, I got benefited from attending this programme	<b>88.00</b>	<b>12.00</b>	-	11. Knowledge got anywhere is wisdom gained for everywhere.
d. I will use the new learning, skills, ideas and knowledge in my work	<b>92.00</b>	<b>8.00</b>	-	11. Knowledge got anywhere is wisdom gained for everywhere.
e. Adequate time and opportunity was provided to participants to share experiences	<b>92.00</b>	<b>8.00</b>	-	11. Of course. 14. Interactive sessions were useful.
<b>II. KNOWLEDGE</b>				
<b>PROPOSITION</b>	<b>To a great extent (%)</b>	<b>To some extent (%)</b>	<b>Not at all (%)</b>	<b>Remarks</b>
The programme provided knowledge (or provided links / references to knowledge) which is:				
a. Useful to my work	<b>83.33</b>	<b>16.67</b>	-	-
b. Comprehensive (relevant case laws, national laws, leading text / articles / comments by jurists)	<b>80.00</b>	<b>20.00</b>	-	-
c. Up to date	<b>88.00</b>	<b>12.00</b>	-	-
d. Related to Constitutional Vision of Justice	<b>66.67</b>	<b>33.33</b>	-	-

e. Related to International Legal Norms	<b>58.33</b>	<b>41.67</b>	-	-
<b>III. STRUCTURE OF THE PROGRAMME</b>				
<b>PROPOSITION</b>	<b>Good (%)</b>	<b>Satisfactory (%)</b>	<b>Unsatisfactory (%)</b>	<b>Remarks</b>
a. The structure and sequence of the programme was logical	<b>96.00</b>	<b>4.00</b>	-	14. Very good.
b. The programme was an adequate combination of the following methodologies viz.				
(i) Case studies were relevant	<b>92.00</b>	<b>8.00</b>	-	-
(ii) Interactive sessions were fruitful	<b>95.83</b>	<b>4.17</b>	-	-
(iii) Audio Visual Aids were beneficial	<b>77.27</b>	<b>22.73</b>	-	-
<b>IV SESSIONS WISE VETTING</b>				
<b>Parameters</b>				
<b>Session</b>	<b>Discussions in individual sessions were effectively organized</b>		<b>The Session theme was adequately addressed by the Resource Persons</b>	
	Effective and Useful (%)	Satisfactory (%)	Effective and Useful (%)	Satisfactory (%)
1	<b>92.00</b>	<b>8.00</b>	<b>100.00</b>	-
2	<b>80.00</b>	<b>20.00</b>	<b>85.71</b>	<b>14.29</b>
3	<b>88.00</b>	<b>12.00</b>	<b>100.00</b>	-
4	<b>92.00</b>	<b>8.00</b>	<b>92.86</b>	<b>7.14</b>
5	<b>87.50</b>	<b>12.50</b>	<b>92.31</b>	<b>7.69</b>
<b>V. PROGRAMME MATERIALS</b>				
<b>PROPOSITION</b>	<b>To a great extent (%)</b>	<b>To some extent (%)</b>	<b>Not at all (%)</b>	<b>Remarks</b>
a. The Programme material is useful and relevant	<b>92.00</b>	<b>8.00</b>	-	14. Extremely useful.
b. The content was updated. It reflected recent case laws/ current thinking/ research/ policy in the discussed area	<b>88.00</b>	<b>12.00</b>	-	-

c. The content was organized and easy to follow	<b>88.00</b>	<b>12.00</b>	-	-
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<b>VIII. GENERAL SUGGESTIONS</b>	
1. Three most important learning achievements of this Programme	<p>1. Resource person were very well versed with the subject, which will be very helpful to me.</p> <p>3. 1. Many concepts are clarified. 2. Good interaction. 3. Objectives behind commercial law and Arbitration Act. clarified.</p> <p>4. 1. Discussion of commercial courts Act. 2. Arbitration and Constitution Act. 3. Recognition &amp; Enforcement of Arbitral Awards.</p> <p>5. 1. Commercial disputes. 2. Intellectual property right. 3. Regarding arbitration and foreign award.</p> <p>6. Expedite litigation in commercial dispute. Appointment of arbitration with great Fee be settled reasonably.</p> <p>11. Perspective was broadened.</p> <p>12. 1. Had the advantage of the rough updation of the topics/ subject. 2. Had the opportunity to experience the diverse views on topics of debate caution by Judge participating from the various High Courts. 3. Had 2 days solely focused on pure academics.</p> <p>13. 1. The mandatory nature of pre institution mediation under section 12A of the commercial Courts Act. 2. The amplitude of the public policy. 3. Pitfalls and delay in the enforcement of foreign awards.</p> <p>14. 1. Updated the basic knowledge. Got latest law. 3. Even useful international precedent were provided.</p> <p>15. Came with a limited knowledge gained a lot. Would be of great help is the opportunity to deal with the subject come what may.</p> <p>16. Absence of notification in respect of Sec. 3, 10, 14 &amp; 16 of arbitration amending Act 34/2019.</p> <p>17. 1. Knowing a detail about the arbitration and conciliation (Amendment) Act 2019 &amp; 2021. 2. Scope of judicial intervention in an appeal U/S 37 of the Act of 1996. 3. And the incidental issues.</p> <p>18. Exchange of views and doubt clearing helped a lot.</p> <p>21. About commercial courts Act. Arbitration and Conciliation Act.</p> <p>25. Enlightening updating very good sessions.</p>
2. Which part of the Programme did you find most useful and why	<p>3. I find all sessions useful.</p> <p>4. Through all part of the programmes was informative and was a new learning experience. But I found discussion of commercial courts Act. session as it gave a new discussion to my knowledge.</p> <p>5. <i>Session-3 Intellectual Property Rights: Infringement &amp; Enforcement</i> -By style and manner the session 3. Conducted by Hon'ble Justice Pratibha M. Singh is very excellent adequate time and opportunity was provided by the speaker and I got benefited by them all session conducted by NJA.</p>

	<p>6. All these were refreshing for working in day to day judicial work.</p> <p>7. The discussion and interactive question as it tends to highlight the actual court issues and explore a practical approach to find solution.</p> <p>10. <i>Session-1 Commercial Courts Act: Genesis, Benefits and Challenges; Session-2 Interpretation of Construction and Infrastructure Contracts; Session-4 Arbitration and Conciliation Act: Towards a Model Dispute Resolution.</i></p> <p>11. Entire.</p> <p>12. Session by Justice M. Sundar- <i>Session-1 Commercial Courts Act: Genesis, Benefits and Challenges; Session-2 Interpretation of Construction and Infrastructure Contracts; Session-4 Arbitration and Conciliation Act: Towards a Model Dispute Resolution-</i> For it was authentic of the rough.</p> <p>13. The interactive Sessions.</p> <p>14. Cant single out one director is special.</p> <p>15. All the five sessions shed light on the subject, recent development and practical issues.</p> <p>16. Interactive sessions. Gives some for clarity doubts.</p> <p>17. <i>Session-1 Commercial Courts Act: Genesis, Benefits and Challenges; Session-2; Interpretation of Construction and Infrastructure Contracts; Session-4 Arbitration and Conciliation Act: Towards a Model Dispute Resolution.</i></p> <p>18. Interaction sessions.</p> <p>21. <i>Session-1 Commercial Courts Act: Genesis, Benefits and Challenges; Session-4 Arbitration and Conciliation Act: Towards a Model Dispute Resolution; Session-5 Recognition &amp; Enforcement of Arbitral Awards.</i></p> <p>23. Commercial Courts Act.</p> <p>24. The Commercial Court Act 2015 &amp; the Arbitration and Conciliation Act.</p>
<p>3. Does the programme need further modulations or change</p>	<p>4. No, in my opinion the present format is fine.</p> <p>6. Uniformity in enforcement of commercial law conference be enhanced.</p> <p>7. The legislation being recent may require discussions on various interactive issues that arise from conflicting views reflected in various judgements.</p> <p>8. Yes, Please do not allow any doubts in the middle of the sessions it disturbs the Resource Persons please provide doubts clarification time after conclusion of the session.</p> <p>9. Time management as some times interactions have deviated the discussion.</p> <p>11. Scope for enforcement is always there.</p> <p>12. Problem based discussion</p> <p>14. It excellent.</p> <p>15. This module is good.</p> <p>16. The duration of interactive session may be increased.</p> <p>18. The Director will be the best person to take a call on the matter.</p> <p>25. Satisfied.</p>

<p>4. Kindly make any suggestions you may have on how NJA may serve you better and make its programmes more effective</p>	<p>6. Judges be asked to give option as resource person for future programmes.</p> <p>7. The NJA has been doing exceptionally good work. Please ask all the Resource Persons to provide material before coming to the sessions.</p> <p>9. Question and Answers must be allotted a specific time slot to prevent eating into the time of the resource person presentation and disturbing his planned presentation.</p> <p>11. Best could not have been better.</p> <p>12. Can we have an academic session based on actual issues grappled by Judges, which were totally grey in the sense that, it is neither governed by Statute nor guided by precedent. To be recorded only after the judgement and called for perused and analyzed by NJA team and only if it forms an opinion that a discussions on the topic can be enlightening and for common good.</p> <p>14. A hard copy may be provided at least for me.</p> <p>15. Most of the cases are pending on property disputes more programmes are required on various property disputes.</p> <p>17. Kindly arrange the discussion on local law e.g. Rent control legislation etc. I mean comparative discussion of the provisions of such Act.</p> <p>18. Soft copy of the presentation may be circulated via email.</p>
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