

# National Workshop for High Court Justices on Commercial Law [P-1340]

1<sup>st</sup> & 2<sup>nd</sup> April 2023

At National Judicial Academy (NJA), Bhopal

## PROGRAMME SCHEDULE

Session/ Timing	Theme	Speakers
<b>Day 1</b> <b>1<sup>st</sup> April 2023 (Saturday)</b>		
<b>Session 1</b>  10:00AM -11:30AM	<b>Commercial Courts Act: Genesis, Benefits and Challenges</b>  <b><u>Proposed Scope of Discussion</u></b> <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>• The Role of Commercial Division &amp; Appellate Division in Handling of Complex Disputes</li><li>• Specified Value of Commercial Disputes</li><li>• Pre-institution Mediation &amp; Settlement</li></ul>	<b>Justice M. Sundar</b> <b>Mr. Somasekhar Sundaresan</b>
11:30AM - 12:00 PM	<b>Tea Break</b>	
<b>Session 2</b>  12:00PM - 01:30PM	<b>Interpretation of Construction and Infrastructure Contracts</b>  <b><u>Proposed Scope of Discussion</u></b> <ul style="list-style-type: none"><li>• Public Private Partnership (PPP) (Concession model)</li><li>• Design, Build, Finance, Operations &amp; Transfer Contracts</li><li>• Operation and Management Contracts</li><li>• Disputes under building &amp; Development Contracts</li><li>• Composite and Split Contract</li><li>• Design &amp; Build Contract</li></ul>	<b>Mr. Mohit Saraf</b> <b>Mr. Atul Sharma</b>
01:30PM - 02:30PM	<b>Lunch Break</b>	
<b>Session 3</b>  02:30PM - 04:00PM	<b>Intellectual Property Rights: Infringement &amp; Enforcement</b>  <b><u>Proposed Scope of Discussion</u></b> <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>	<b>Justice Prathiba M. Singh</b>

<b>Day 2</b> <b>2<sup>nd</sup> April 2023 (Sunday)</b>		
<b>Session 4</b> <b>10:00AM -11:30AM</b>	<b>Arbitration and Conciliation Act: Towards a Model Dispute Resolution</b>  <b><u>Proposed Scope of Discussion</u></b> <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>	<b>Justice M. Sundar</b> <b>Mr. Jayant K. Mehta</b>
<b>11:30AM - 12:00PM</b>	<b>Tea Break</b>	
<b>Session 5</b> <b>12:00PM - 01:30PM</b>	<b>Recognition &amp; Enforcement of Arbitral Awards</b>  <b><u>Proposed Scope of Discussion</u></b> <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>	<b>Mr. Jayant K. Mehta</b> <b>Mr. Tejas Karia</b>
<b>01:30PM - 01:45PM</b>	Audit of the Course by Participant Judges	
<b>01:45PM</b>	<b>Lunch Break &amp; Departure</b>	

#### **Academic Coordinators**

1. Prof. Dr. Geeta Oberoi, Professor (geetaoberoi@ymail.com; +91 9425601278)
2. Ms. Shruti Jane Eusebius, Research Fellow (shruti.nja@gmail.com; +91 9425601254)

#### **Administrative Assistance:**

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