


<b>Name:</b> <b>Enrolment No:</b>			
<p style="text-align: center;"><b>UPES</b>  <b>End Semester Examination, May 2025</b></p>			
<b>Course: Mediation</b> <b>Program: LL.B. (Hons.)</b> <b>Course Code: CLCC2046</b>		<b>Semester: IV</b> <b>Time: 03 hrs.</b> <b>Max. Marks: 100</b>	
<b>Instructions: Read all the questions carefully. All the questions are mandatory.</b>			
<b>SECTION A</b> <b>(5Qx2M=10Marks)</b>			
S. No.		Marks	CO
Q 1	Differentiate between mediation and conciliation.	2	CO1
Q 2	List any four qualities of the mediator.	2	CO1
Q 3	List any five disputes that cannot be referred for mediation.	2	CO1
Q 4	Who maintains panel of mediators? a. Mediation Council of India b. Mediation Service Provider c. Both a and b are correct d. None of the above	2	CO1
Q 5	Which of the following provisions defines the term 'international mediation' under the Mediation Act, 2023? a. Section 3(g) b. Section 3(h) c. Section 3(i) d. Section 3(j)	2	CO1
<b>SECTION B</b> <b>(4Qx5M= 20 Marks)</b>			
Q 6	Explain the hybrid model of mediation 'Arb-med-Arb'.	5	CO2
Q 7	Discuss the mandatory and voluntary nature of pre-litigation mediation.	5	CO2
Q 8	Describe the appointment and termination procedure of mediators under the Mediation Act, 2023 with relevant provisions.	5	CO2
Q 9	What are the ethical obligations and code of conduct for mediators as per the Mediation Act, 2023? Discuss with relevant provisions.	5	CO2

<b>SECTION-C</b> <b>(2Qx10M=20 Marks)</b>			
Q 10	Critically examine the salient features of the Mediation Act, 2023.	<b>10</b>	<b>CO3</b>
Q 11	Elaborately discuss the concept of mediated settlement agreement, its enforcement and the procedure to challenge the same with relevant provisions of the law.	<b>10</b>	<b>CO3</b>
<b>SECTION-D</b> <b>(2Qx25M=50 Marks)</b>			
Q 12	<p>Alex and Emma have been married to each other for five years now. They also have a son, Oliver. After the son was born to Emma, there were continuous fights between them. Alex's family always questions the way Emma is raising her son and Emma does not like it. She believes that it is she who knows best for her child. One day, when Emma could not tolerate it any further, she left for her parents' home with her son. Alex and his family now want reconciliation. Considering these facts, answer the following:</p> <p>a. Examine which among the litigation and mediation will be the best option for their reconciliation. <b>(10 Marks)</b></p> <p>b. Suppose mediation is opted by both parties, explain the different approaches to mediation and decide which approach will be the best in this case. <b>(15 Marks)</b></p>	<b>25</b>	<b>CO4</b>
Q 13	<p>The United Nations Convention on International Settlement Agreements Resulting from Mediation provides for the recognition and enforcement of international mediated settlement agreements.</p> <p>a. Analyse an 'international mediated settlement agreement' under the Singapore convention? <b>(Marks 5)</b></p> <p>b. Examine the conditions for its applicability in India. <b>(Marks 5)</b></p> <p>c. Compare the grounds for challenging/refusing the enforcement of a mediated settlement agreement under the Singapore Convention and the Mediation Act, 2023. <b>(Marks 15)</b></p>	<b>25</b>	<b>CO4</b>