

The Orissa



Gazette

EXTRAORDINARY

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ORISSA HIGH COURT, CUTTACK

NOTIFICATION

The 4th March 2008

No. 101-R.—In exercise of the rule making power under Part X of the Code of Civil Procedure, 1908 (5 of 1908) and clause (d) of sub-section (2) of Section 89 of the said Code, the High Court of Orissa do hereby make the following Rules, namely:—

PART – II

Civil Procedure Mediation Rules

1. Title :

- (a) These Rules in Part II shall be called the Civil Procedure Mediation Rules, 2007.
- (b) They shall come into force on the date of their publication in the *Orissa Gazette*.

2. Appointment of Mediator:

- (a) Parties to a suit may all agree on the name of the sole mediator for mediating between them.
- (b) Where, there are two sets of parties and are unable to agree on a sole mediator, each set of parties shall nominate a mediator.
- (c) Where parties agree on a sole mediator under clause (a) or where parties nominate more than one mediator under clause (b), the mediator need not necessarily be from the panel of mediators referred to in Rule 3 nor bear the qualifications referred to in Rule 4 but should not be a person who suffers from the disqualifications referred to in Rule 5.
- (d) Where there are more than two sets of parties having diverse interests, each set shall nominate a person on its behalf and the said nominees shall select the sole mediator and failing unanimity in that behalf, the Court shall appoint a sole mediator.

