
(2018) 02 CAL CK 0029
In the Calcutta High Court
Case No : 542 of 2017

Liang Miao Sheng & Ors.

APPELLANT

Vs

The State of West Bengal & Ors.

RESPONDENT

Date of Decision : 01-02-2018

Acts Referred:

Citation : (2018) 02 CAL CK 0029

Hon'ble Judges : I. P. Mukerji, Md. Mumtaz Khan

Bench : Division Bench

Advocate : Shyamal Sarkar, ?Rajesh Gupta, ?Surendra Dube, ?Meghajit Mukherjee, ? Vikas Tewary, ?Amitesh Banerjee, ? Billwadal Bhattacharyya, ? Pramit Kr. Ray, ? Sunil Kr. Chakraborty, ? Saheli Sen, ?Sumitava Chakraborty

Judgement

1. After hearing learned counsel for the parties at length, we are of the view that in the special facts and circumstances of this case, there is a possibility of settlement to be worked out between the parties and that the most efficacious way of arriving at it would be by mediation. Otherwise, resolution of the disputes between them through a court of law is likely to be a long drawn process.

2. However, learned counsel agree to go for mediation only if the process is conducted most expeditiously, so that the parties can come back to this Court with a success or failure report of the learned mediator within three weeks from date. We also observe that the Government of West Bengal shall also participate in this mediation process.

3. We appoint the Hon'ble Mr. Justice Pranab Kumar Chattopadhyay, a retired Judge of this Court as the learned Mediator. His lordship shall fix his fees in consultation with and by agreement of the parties, to be borne by the private parties in equal share. Fees as fixed by the learned Mediator shall be deemed to be the fees fixed by this Court. The other costs and charges for mediation shall be borne in accordance with the rules in this behalf. The venue for this mediation shall be the mediation centre of this Court. The learned Mediator will file a report in this Court by 23rd February 2018.

4. A copy of this order should be forwarded forthwith to the Secretary, Mediation Committee of this High Court by the Assistant Registrar attached to this Court.
5. In the special facts and circumstances of this case the parties may be present with their learned lawyers to facilitate the mediation process before the learned Mediator.
6. List this appeal as the first appeal on 26th February 2018.
7. Certified photocopy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.