

End Semester/Reappear (Semester V) Examination December 2022

Programme: LLB

Course: Law of Arbitration & Alternative Dispute Resolution

Course Code: 24D.301

Enrollment No: _____

Full Marks: 50

Time: 2 Hrs.

Section I

- 1. Short Answer type questions. Answer any four. 4 x 5 = 20**
- Explain the term International commercial arbitration.
 - State the role of courts in arbitration proceedings.
 - What is ADR negotiation?
 - Discuss the role of New York Convention in arbitration?
 - What is the Geneva Convention in simple terms?
 - What are the powers of the arbitrators in the conduct of proceedings?

Section II

Long Answer type questions. Answer any three. 2 x 15 = 30

- In a dispute between Mr. A and B, 'C' will be appointed to act as the arbitrator. Mr. C examined several witnesses and documents and before giving the award declares that he withdraws his consent to be the arbitrator. Whether C's act is valid?
- There was a dispute between Munshi Ram and Banwari Lal. They appoint Mr. A, B and C as the arbitrators. They give the award signed only by Mr. A and Mr. B. Will the arbitration award be valid?
- What are the changes made to the process of referral to different modes of ADR) to section 89 of the CPC, as per the Afcons case?
- Mr. Arun catches a thief who is found to have stolen gold from his jewellery shop. He decides to handover the thief to Mr. Varun who acts as an arbitrator. Can Varun decide this case?
