

**IN THE COURT OF PRINCIPAL SENIOR CIVIL JUDGE
MANGROL, DISTRICT : SURAT.**

Special Civil Suit No. 28 of 2021

Exh. ____

**Dipakbhai Sureshchandra Jain
Residing at C-305, Ashirwad Palace,
Bhatar Road, Surat.**

.....Plaintiff.

V E R S U S

**1. Sushilaben Sunderlal Jariwala
2. Vireshbhai Sunderlal Jariwala
Both Residing at
37 - 45, Soma Kanji ni wadi,
Khatodara, Surat.**

.....Defendants.

Suit for Declaration and Permanent Injunction

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Mr. K.C. Panwala, Learned advocate for the Plaintiff.

Mr. B.L. Sukhadwala, learned advocate for the Defendants.

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.... REFERRAL ORDER

1. Upon going through the record of the case and further considering the facts and circumstances of the case, it appears to this court that there exist elements of a settlement which may be

acceptable to the parties. Therefore, in exercise of powers conferred under Section 89 of the Code of Civil Procedure, 1908, I refer the present suit for exploring the possibilities of settlement through Mediation, on the following conditions :-

(1) The parties to the lis shall remain present along with the necessary case papers before the Mediation Centre, District Court Building, Athwa Lines, Surat, as and when the date and time fixed by issuing notice to the parties from the Mediation Centre.

(2) Mediation process shall be conducted by the MCPC Trained Mediator. In a Court annexed mediation, the Coordinator of the Mediation Centre shall appoint the Mediator as he may deem fit.

(3) In case of failure of resolution of the referred dispute, the Mediator shall inform the Mediation Centre, by a report, only stating that MEDIATION HAS BEEN UNSUCCESSFUL and the Coordinator of Mediation Centre shall inform the same to this Court.

(4) When an agreement is reached between the parties with regard to all the issues in the present suit or some of the issues, the same shall be reduced to writing and signed by the parties and their leaned advocates, if any.

(5) The agreement of the parties so signed shall be submitted to the Coordinator of Mediation Centre, who shall forward the same to this Court with a covering letter signed by him.

(6) On the expiry of 90 days from the date fixed for the first appearance of the parties before the Mediator, the mediation shall stand terminated, unless this Court, either suo motu or upon request

by any of the parties, and upon hearing all the parties, is of the view that extension of time is necessary or may be useful; but such extension shall not be beyond a further period of thirty days.

(7) Next date of formal hearing is fixed on 7th January, 2023 to check the progress of the mediation.

(8) Copy of relevant case papers shall be forwarded to the Mediation Centre, Surat forthwith.

Pronounced in the Open court on this 19th day of November, 2022.

Date: 19th November, 2022.

(Rajendra Ghanshyambhai Barot)
Principal Senior Civil Judge
Mangrol, District : Surat
Judge Code : GJ00572