



Comparative Analysis of ADR Systems in India and Pakistan: Legal Frameworks, Institutional Capacity, and Sociocultural Influences

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ABSTRACT

This paper makes a comparison of the ADR systems between India and Pakistan with their emphasis on the legal system, the level of institutions, the judiciary, and the sociocultural context. The two nations have been influenced by a colonial legal system but follow different paths in the development and the acceptance of the alternative dispute resolution mechanisms. With her comprehensive legislative reforms backed by the judiciary and adequate institutional structures especially under the “Arbitration and Conciliation Act of 1996”, India has been able to emerge as a dominant force in ADR. However, Pakistan on the other hand, has made some progress with the ADR Act 2017, but faces difficult barriers to implementation, use of both customary political institutions such as Jirgas and a poor level of public information. The paper highlights the role of ADR in decreasing the volume of cases pending in courts, cost-effective methods of dispute settlements, and the administration of justice. With regard to differences and similarities the paper cites measures for both countries to increase the level of implementation of ADR, which ultimately means more efficient legal systems and peace in the society.

Introduction

Alternative Dispute Resolution (ADR) is the name given to the resolution of disputes through procedures other than hearing in a court of law. This encompasses, but does not limit itself to, mediation, conflict resolution, arbitration, negotiation, and other interior procedures whereby the parties can settle matters amicably without taking it to the court of record. These processes aim at preserving the relationship of the parties concerned and are inexpensive and flexible. The process of ADR encompasses various procedures, all of which are characterized by distinct attributes. For instance, negotiation does not involve the input of a third party, whereas mediation and

conciliation require a neutral party to assist the conflicted parties in finding a solution. On the other hand, arbitration entails the appointment of a third party who is granted the power to render binding arbitration awards (Khan et al., 2022).

ADR is important because it offers a solution to the shortcomings of the traditional rule of law order. Merchant (2006) states that ADR is “any other substitute to the two established and most popular ways of settling disputes, that is litigation and arbitration and even some processes which involve an imposed decision.” Such flexibility has made it possible for ADR to be employed as part of the modern judicial systems of countries where the number of cases is increasing while the costs of litigation are making it desirable for courts to handle disputes efficiently. While arbitration was first developed as an answer to the issues brought about by litigations, over the years, it came to resemble litigation as both expensive and lengthy. As a result, others turned to other forms of ADR because they were cheaper and done faster (Merchant, 2006).

India and Pakistan make up very significant countries in South Asia whose sugarcoated examples seem quite fit for confirming the effectiveness of the ordinance mechanisms in two countries. Both India and Pakistan inherited a colonial legacy and the pattern of their justice system records their difference from each other in the area of the adoption and institutionalization of ADR. Legislative backing has been extended to ADR in India, as seen by the “Arbitration and Conciliation Act of 1996”. This Act closely adheres to the UNCITRAL Model Law and forms a solid and complete legal framework for arbitration and conciliation, coincidentally making India a tempting place for international commercial arbitration (Shah, 2021). The Supreme Court has been proactive in embracing ADR in order to decongest the courts. In “Afcons Infrastructure Ltd. v. Cherian Varkey Construction Co. (2010)”, the Apex Court reiterated ADR's role in speeding up dispute resolution processes (Kumar, 2021). Further, the establishment of mediation centers and private sector initiatives further strengthen the successful integration of ADR into India's judicial system.

In contrast, ADR mechanisms in Pakistan are still early in the development stage, constrained by systemic impediments existing in the judiciary and also the general legal framework. In fact, the Arbitration Act 2002 laid the foundation for ADR; however, implementation has been sporadic. Traditional practices such as jirgas and Lok Adalat, alongside existing formal systems of ADR, create alternate systems distracting from constitutional and human rights principles (Baig, 2024). However, all of these are in favor of entering the courts, thus the creation of these mediation centers and court-annexed ADR systems, indicating the growing acceptance of the inherent value positions within ADR schemes to make justice more accessible. This is particularly true for the countries where practicing marginalized groups would face many hurdles in accessing formal legal institutions (Jurgees et al., 2024).

Both countries emphasize the opportunities and challenges that come with implementing ADR in diverse societies. India's established ADR mechanisms have made it a regional center for arbitration, particularly in commercial disputes where confidentiality and efficiency are essential. On the other hand, Pakistan's developing ADR framework illustrates the difficulties of reconciling contemporary legal principles with longstanding traditional practices. A comparative analysis of these two jurisdictions provides important insights into the relationship between legal systems, socio-political contexts, and access to justice.

Significance of the Study

The study provides valuable insights into the effectiveness of Alternative Dispute Resolution (ADR) mechanisms in India and Pakistan and addresses the key issues in their legal systems. It shows ADR as a solution to ease the burden on overburdened courts, to get quick and cost effective dispute resolution and access to justice. By focusing on India and Pakistan—two countries with shared colonial legal heritage but different institutional capacity—the research looks into how ADR frameworks adapt to different socio-political dynamics.

The study also provides a comparative understanding of how India has strong legislative support for ADR and how Pakistan is struggling to institutionalize ADR due to socio-political and traditional influences. This comparison will be useful for ADR mechanisms in similar contexts globally.

Besides, the research adds to the global conversation by looking into the adaptability of ADR in different socio-cultural settings where formal and informal systems coexist. It highlights the transformative power of ADR in achieving judicial efficiency, legal reform and empowerment of marginalized groups. By presenting a critical review the study aims to strengthen ADR frameworks, ensure equitable justice and harmony in pluralistic societies.

Research Methodology

The article uses a qualitative case study methodology, looking into a detailed examination and analysis of ADR mechanisms in India and Pakistan. This involves looking into specific instances of legislative frameworks, judicial interventions and socio-cultural practices related to ADR in both countries. By looking into these contexts the study tries to see how ADR mechanisms can improve access to justice, reduce court backlogs and resolve disputes in different legal and cultural settings.

The qualitative nature of this research offers deep insights into the operational challenges and successes of ADR frameworks in India and Pakistan. It allows for a comparative analysis of how these mechanisms are influenced by institutional capacities, traditional practices, and changing legal landscapes. Instead of simply recording the differences between the two systems, this approach reveals the subtle ways in which ADR acts as a catalyst for legal reform, judicial efficiency, and social harmony in each jurisdiction.

Review of ADR Practices in Pakistan

According to Shahzad & Ali (2023), the legal framework for ADR in Pakistan has developed to establish a foundation for recognizing and regulating ADR processes. Various laws, rules, and regulations govern ADR, reflecting a commitment to integrating these methods into Pakistan's legal system. Domestic arbitration is governed by the “Arbitration Act of 1940”, which also lies forth how arbitrators are selected, rulings may be reversed, and hearings are held. Foreign arbitration agreements and awards are easier to recognize and enforce according to the “Recognition and Enforcement Act, 2011”. The Civil Procedure Code underwent revisions in 2020 that urge parties to consider mediation either before or during court proceedings. Provincial regulations include the Sindh “Alternative Dispute Resolution Act, 2017” and the “Punjab Alternative Dispute Resolution Act, 2019” offer further foundations for ADR processes, including conciliation (Iftekhar, 2017). Family Courts Act, 1964 established family courts emphasizing mediation and conciliation for family disputes. International commercial arbitration is regulated under the International Arbitration Act, 2017 in line with UNCITRAL standards, ultimately with

the aim of enhancing legal clarity and support for international arbitration procedures in Pakistan. Continuing efforts are focused on increasing knowledge, educating ADR practitioners, and perhaps passing legislation to address emerging problems and boost the effectiveness of ADR generally (Blackham, 2016).

Overview of ADR Practices in India

ADR in India has emerged as a powerful response to the challenges that the traditional judicial system presents. It offers mechanisms which emphasize efficiency, cooperation, and solutions tailored to specific needs. Among the key ADR methods, arbitration stands out for its structured approach, involving a neutral arbitrator or panel delivering binding decisions based on pre-existing agreements (Singha, 2024). Arbitration can be undertaken under the provisions of 'Arbitration and Conciliation Act, 1996' where role of courts is deliberately kept to the minimum. Arbitration, in its part, clears the way for the involved disputing parties to be helped by the conciliator to identify some common ground and achieve the voluntary settlement of the dispute enforceable in the form of contract, but not legally enforceable as in arbitration (Arbune & Yadav, 2023). Another cooperative approach linked with the assistance of a neutral third party is mediation in which all decisions are reached through cooperative and voluntary participation of the parties and which is thus especially appreciated for its specificity, open nature and possibilities to maintain relationships between the parties. Hence, while negotiation proves to be a more community oriented and basic technique of ADR, it lets the parties in opposite talks to have open dialogue to solve their differences. Finally, the Lok Adalats as parts of the Indian civilisation, adhering to Gandhian epistemology work as centers for people to settle their disputes and unlike the regular court systems, these are fast and require lesser resources to boot (Faruk, 2023). Altogether, these mechanisms unveil India's creational attempts to deal with the issues of the conventional court system while promoting justice for all and favorable for all.

Comparative Jurisprudence on ADR Law Structures in India and Pakistan

The common legal heritage between India and Pakistan has been a result of shared colonial rule. Yet, the ADR frameworks differ significantly in terms of institutional support, legislative structures, and cultural contexts. This analysis, therefore, critically studies these frameworks with respect to their strengths, challenges, and opportunities for both countries to learn from each other.

India has made the biggest strides in harmonizing its ADR framework with international standards, especially through the "Arbitration and Conciliation Act, 1996", which was initially germane to UNCITRAL Model Law. Reforms include the introduction of time-bound arbitration and stronger institutional support effective from the latest amendment of 2015 and 2019. The most recent updates reflect India's efforts to build a more efficient and internationally competitive ADR system, streamline the arbitration process, minimize delays, and enhance the enforcement of awards, thus creating India as a venue for international commercial arbitration (Singh, 2024).

In contrast, Pakistan's ADR framework has historically been behind the curve. While the country ratified the 1958 New York Convention and initially depended on the Arbitration Act of 1940, meaningful reform did not occur until much later. The Alternative Dispute Resolution Act of 2017 aimed to modernize Pakistan's ADR landscape, but its implementation has been uneven. Although the 2017 Act has made progress by mandating mediation and establishing a more structured approach to ADR, Pakistan still lags behind global standards, and much of its ADR framework remains less developed compared to India's. The earlier reliance on outdated laws and a lack of

timely updates have impeded Pakistan's ability to offer a coherent and efficient ADR process (Khan & Javed, 2023). In India, judicial support for ADR is strong, with the judiciary not only endorsing it but also actively incorporating it into the judicial process. Indian courts frequently refer cases to mediation, particularly through court-annexed mediation and arbitration. Landmark cases such as “Afcons Infrastructure Ltd. v. Cherian Varkey Construction Co. (2010)” highlight the significance of ADR in alleviating judicial backlogs and ensuring timely dispute resolution (Kumar, 2021). The Supreme Court's active involvement in ADR initiatives has reinforced the legitimacy of ADR within the Indian legal framework.

The judiciary in Pakistan started recognizing ADR as an alternative that works, yet the practice remains uneven. There is a trend where the courts have acquired the ability to refer cases to ADR; however, that remains contingent upon the parties and the peculiarities of each case. In reality, most parties remain averse to ADR because they fail to understand its utility or remain traditionalistic about litigation procedures (Faizan, 2024).

Institutional Infrastructure and Support for ADR: India vs. Pakistan

Institutional support through mediation centers across the major Indian cities, attached to the court itself, has helped shorten the process of dispute settlement, relieving the load from courts. The new set of Mediation Rules 2021 has placed procedure in order and stipulated training guidelines for its mediation process, thereby increasing confidence in mediators' credibility as well as expertise (Kinhal, 2021). The ADR of India is more extensive due to institutions that cater not only to domestic but to international disputes as well. India has taken the right step by significant investments in training and accreditation of ADR professionals. With this, the institutions, like the Indian Institute of Arbitration and Mediation, have been playing important initiatives to build up ADR's infrastructure. The institutional setup is robust, focusing on professionalization and accessibility to courts-annexed mediation centers in India. The public awareness about ADR is more due to consistent campaigns and judicial endorsements (Sabharwal & Singh, 2023).

There is practice of court-annexed mediation in Pakistan especially under rules of the code of civil procedure. However, the practice has failed in this regard because of poor availability of qualified mediators and proper structures. In addition, the judiciary having minimum knowledge about the ADR processes and the lacking available and elaborate procedural rules have resulted in the lack of a defining institutional ADR framework (Ali et al., 2023). The legal framework of Pakistan is still in a developing phase, and there are relatively few recorded cases of infrastructure, which deal mostly with local cases rather than the cases to be submitted for international arbitration. Currently, in Pakistan, training programs are tucked in between and the certified ADR professional pool remains limited. It must be noted that the integration of ADR with the judicial system in Pakistan is formally restricted and incoherent. The implications mentioned above have a direct impact on the availability and effectiveness of ADR in Pakistan. Forms of ADR such as jirgas in Pakistan limit the use of formal ADR institutions and the rate at which the public approaches institutionalized ADR (Begum, 2023).

Cultural and Social Influences on ADR Mechanisms

Culture of India is rich and dynamic and has a tradition of individual and communal dispute solving processes like Lok Adalat and Panchayats. Such systems are based on the principles such as maintaining consensus, restoring justice, which correlate with the ADR system. However, the

gradual shift from formal traditional methods to comprehensive ADR solutions poses difficulties related to the rejection of the society of 'official' processes (Bharad & Pandya, 2024).

The Indian population living in the cities massively perceives ADR as a speedy, confidential method, and, as a rule, significantly cheaper than legal procedures; it is most popular in the trade disputes. However, in rural regions, the formal ADR solutions face obstacles for the implementation as the parties use community-based approaches that are culturally suited and economically feasible to them. India's Judiciary has tried to fill this gap by incorporating mediation and arbitration in the judicial system that remains conservative but synchronized with the traditional structure which follows legal doctrines (Mayal, 2023).

In Pakistan, traditional systems of conflict resolution such as the jirgas and the panchayats still are rampant within the rural as well as the tribal countries. These forums are very popular and almost ubiquitous in everyday social life; their use is preferred for its convenience coupled with adherence to local practices. However, criticisms have been ahead of them due to their non-standard and due to the absence of legal procedures these platforms might result in bias especially women and minorities (Khan et al., 2023).

Specialized ADR procedures, enacted through ADR Act of 2017 have been challenged in areas where customary law and practices prevail. There are difficulties for the judiciary and other legal workers in persuading the public to begin the practice of ADR as a suitable substitute; public consciousness and ingrained perceptions of justice play a part here (Khan et al., 2023).

In both countries, these traditional systems are highly trusted because of their cultural relevance. Yet, this trust can shatter the adoption of formal ADR, because more traditional forums can be seen as more approachable and culturally inclusive. However, despite the awareness of the importance of communality, the mainstream mechanisms tend to exclude people and even perpetuate patriarchal practices or inequalities. Formal ADR, which is supported by statutory regulations, is more formal in nature and poses a more systematic means by which to maintain fairness and constitutionality. In cities ADR form of resolution is becoming more and more, for rural areas, everyday systems are still the main stream, which is an obvious cultural division of dispute resolution in these different regions.

ADR Effectiveness across Dispute Categories: A Comparison

ADR methods (namely, arbitration, mediation, and conciliation) are applied to a range of dispute types (commercial, family, labor, and community disputes). Although India and Pakistan associate with similar aspects of cultural and legal frameworks, their capacity in using ADR in these realms varies because of differences regarding institutional structure, influence of judiciary, social/political influences etc.

In commercial litigation, arbitration is the most favored ADR method in both states. India has become a commercial arbitration world center, facilitated by legislative changes via the Arbitration and Conciliation Act, 1996 and amendments in 2015 and 2019. These reforms introduced institutional arbitration and time-bound proceedings, enhancing the confidence of domestic and international businesses (Sharma, 2024).

In Pakistan, arbitration for commercial disputes is less developed. The 2017 ADR Act tried to cope with the deficiencies, but reliance on ad hoc arbitration and procedural irregularity hampers its impact. World trade organizations, such as the World Trade Organization (WTO) have found it

easy to grant and gain favorable agreements for their members, and there is little reason to believe the current political climate in Pakistan will hinder trade negotiations to any real extent from now until the new constitution comes into force in summer 2024. The lack of strong arbitration institutions and judicial ineptitude when enforcing awards make Pakistan an indifferent country to commercial arbitration at the high-level of trade (Hussain et al., 2024).

ADR mechanisms especially mediation is frequently applied in family issues, such as divorce, custody and inheritance suits. Directing family mediation is part of the judicial system in India, family courts are mandated to mediate prior to litigation. This has resulted in increased resolution rates, lower numbers of litigation costs and lower levels of adversariality, especially in urban areas where mediation centers are geographically strong (Gautam et al., 2021).

Mediation of family conflicts is commonly informal in Pakistan, based on traditionalization of mechanisms such as jirgas or community mediators. Although these systems are culturally embedded and generally accepted, they also often lack procedural fairness and can even perpetuate gender disparities. The formal recognition of mediation under the ADR Act, 2017, provides an opportunity for change, although its roll out remains relatively narrow, especially in rural settings (Ashraf et al., 2023).

Because of the same primary importance of expeditious and cheap resolution, almost all labor disputes could also have been addressed in ADR. In India, the method most often applied by labor tribunals is conciliation for the parties involved in the disputes between their employers and employees, and it serves to reduce disruption in activity as well as achieve industrial harmony. The mandate of the Industrial Disputes Act, 1947, holds conciliation as a primary step in the resolution of a labor dispute and makes it a crucial constituent of the entire labor justice system (Sapkal, 2015). ADR cannot be said to greatly cover labor disputes in Pakistan. While some industries adopt conciliation practices, it has not received any formal institutional support and has only been inconsistently applied within the industries. Consequently, labor disputes happen to take recourse to the courts and hence delay resolution to the financial incapacity of the parties concerned (Won, 2013).

Disputes in communities such as disputes over land, as well as other local grievances, are handled by cultural mechanisms. In India, such informal resolutions, particularly in the rural areas, are through Lok Adalat, where the judgment is always subject to a formal court in consideration of the constitutional principles (Maggo, 2022).

In Pakistan, the primacy is given to jirgas as the mechanism for resolving community disputes. Cost-effective and quick methods, they usually act without any legal framework. Hence, these raise the likelihood of human right violations regarding end products as well as enforceability. The recent attempts at embedment in ADR systems may be useful to address these issues. However, there is strong resistance from the power structure (Akhtar, 2014).

Barriers to ADR Implementation in India and Pakistan

Implementing ADR mechanisms effectively in India and Pakistan encounters several obstacles that limit their ability to alleviate litigation backlogs, improve access to justice, and resolve disputes efficiently. Although both countries share similar historical and socio-cultural backgrounds, they face unique and overlapping challenges concerning legal frameworks, institutional support, societal attitudes, and resource availability.

In both India and Pakistan, public awareness of ADR processes is still quite low. Many people view litigation as the primary way to settle disputes, often unaware of the time, cost, and relationship-preserving advantages that ADR can offer. In Pakistan, the reliance on traditional methods like jirgas and Lok Adalat further overshadows formal ADR processes, creating a disconnect between modern legal systems and community practices (Khan & Zahid, 2024).

The institutional infrastructure for ADR, including arbitration centers and mediation facilities, is underdeveloped in both nations, with Pakistan facing more significant challenges. While India has established centers such as the Mumbai Centre for International Arbitration (MCIA) and the Delhi International Arbitration Centre (DIAC), the presence of such institutions in smaller cities and rural areas is quite limited. In Pakistan, institutional ADR is largely restricted to urban centers, with accessibility issues in provincial and remote regions (Ali et al., 2023).

Another important condition is judicial support, with which ADR depends on, although the courts of both countries demonstrate only relative devotion. In India, All though progressive judgments supporting ADR, some of the Judges do not like to refer any case to arbitrate or mediate as they have no control over the final decision (Kumar, 2021). In Pakistan, rapid judicial reliance has been constrained due to inadequate knowledge and capability of the lower courts in recommending as well as enforcing ADR procedures and awards.

Formal systems of ADR reach up to cultural norms and traditional modes of conflict solving inclusive of jirgas in Pakistan and Lok Adalat in India. Although these methods are very reliable and culturally accepted, they are practiced extra judicially and this is a conflict between the present ADR and extra judicial practices. Further, the societal inequalities and gender discriminations inherited by these traditional formalisms deteriorate equal opportunity for effective dispute resolution especially in the context offered (Baig, 2024).

The two countries are challenged for the lack of skilled professionals in arbitration, mediation, and conciliation. This has created a situation where the development of ADR in India has been much faster than the growth of training programs on ADR which in turn has compromised the quality of people in this area. Pakistan's training scenario is further dismal, fragmented training initiatives and scarce paradigm for training in ADR methodologies (Shah, 2021).

This is the opposite of what we want in this type of dispute resolution since arbitration can be costly as a result of high fees charged by the arbitrators and the institutions. This is more so the case in ad hoc arbitration where the costs of the process are normally on the high side due to the absence of well-defined fees schedules. In Pakistan, factors include delays in arresting ADR processes, including arbitration time that takes long periods to complete and the absence of enforcement systems make individuals avoid ADR (Khan et al., 2024).

Currently, as in many countries, both nations lack modern and integrated systems of law regulating ADR. Too much lacunae in the application of the arbitration and Conciliation Act reform in India continues to emerge despite the country's efforts in revising its Arbitration_handling^2^. Pakistan on the other hand remains largely dependent on the ADR Act the Pakistan government passed in 2017 but which to date has still not been fully rolled out. Another ill factor to the development of ADR in both countries is the delays in legislative updates and insufficient integration into the international standards (Ali et al., 2023).

Conclusion and Insights

Both countries need to establish further development of their legislation in order to eliminate the shortcomings and fill the gaps. As such, this paper finds that Pakistan can greatly benefit from following the Indian institutional arbitration model and bringing its local practices up to par with global benchmarks. It is equally important to increase awareness and ...entiment among the judiciary toward ADR. Both countries' Judges should undergo continuous training on appropriate referral to ADR as well as efficient manner in which to enforce arbitration awards. These comprise the following: ADR's acceptance can be increased through raising public awareness owing to its advantages, devoid of acceptance on the part of the rural and marginalized persons.

While recognizing the importance of the mentioned cultural aspects, both countries could try to incorporate these systems into the official systems of ADR keeping in mind, however, legal and human rights requirements. Introducing ODR platforms can remove physical barriers, especially in geographic terms, and provide for improvements in ADR procedures.

By addressing these insights, both India and Pakistan can ensure effective utilisation ADR as a tool for critical social change for/service for effective as well as efficient inter se dispute resolution. Enhancing the ADR processes will not only reduce the load on the judiciary but also encourage more ADR approaches to the subject resolution, making societies more amicable, and encouraging cooperation.

References

1. Arbune, P. S., & Yadav, P. V. Comparative Analysis of the Efficacy of Alternative Dispute Resolution Mechanisms in India and the UK.
2. Baig, K. (2024). Comparative Analysis of Scope and Implications of Alternative Dispute Resolution in Pakistan and the UK. *Journal of Law & Social Studies (JLSS)*, 6(3), 285-294.
3. Begum, M., Zamin, M., & Rahman, A. (2023). Alternative Dispute Resolution: A Catalyst For Rule Of Law, Democracy, And Socio-Economic Development In Developing Countries A Case Study Of Pakistan. *Russian Law Journal*, 11(3), 2062-2066.
4. Hussain, S. A., waqas Gujjar, M., & Ali, M. (2024). Commercial Arbitration: A Messiah for the dying economy of Pakistan. *Journal of Excellence in Social Sciences*, 3(3), 46-54.
5. Won, S. K. (2013). Overview of alternate dispute resolution with special reference to arbitration laws in Pakistan. *J. Arb. Stud.*, 23, 149.
6. Khan, S. O. H., & Abbasi, M. S. (2023). Legal Framework of Alternative Dispute Resolution (ADR) Mechanisms in Pakistan: A Comparative Study with Turkey, Malaysia, and Bangladesh. *Law and Policy Review*, 2(2), 37-57.
7. Bharad, B. & Pandya, S. (2024). The Evolution Of Justice: Assessing The Effectiveness And Its Acceptance Of Alternative Dispute Resolution System In India. CV. 99-106.
8. Faizan, K., Tahir, M., & Jummani, A. (2024). Navigating Disputes: An In-Depth Analysis of Alternative Dispute Resolution within the Framework of Arbitration Law. *Journal of Development and Social Sciences*, 5(1), 429-436.
9. Faruk, M. U. (2023). *ADR in Criminal Cases: A Comparative Analysis between India and Bangladesh* (Doctoral dissertation, East West University).5
10. Akhtar, Z. (2014). ADR (Grand Jirga), Truth, Justice and Reconcilliation Commission and peace on the Pakistan-Afghanistan frontier. *Gray's Inn Library*, 1-27.

11. Jurgees, S. M. R., Suleman, S., & Shahid, A. (2024). The Role of Alternative Dispute Resolution (ADR) in Pakistan's Legal System. *Qlantic Journal of Social Sciences and Humanities*, 5(1), 194-202.
12. Khan, B. K. B., & Javed, J. I. (2023). Critical Analysis on Existing Framework of ADR in Pakistan. *Indus Journal of Law and Social Sciences*, 2(2), 1-9.
13. Sabharwal, D. Singh, A. (2023). India's legal reform in dispute resolution encourages foreign investment. White & Case. <https://www.whitecase.com/insight-our-thinking/investing-india-legal-reform-dispute#article-content>
14. Khan, H., Afzal, U., & Iqbal, S. (2022). Comparative analysis of alternative dispute resolution laws in Pakistan: Its adaptation, procedure and compatibility. *Annals of Human and Social Sciences*, 3(3), 21-26.
15. Kinhal, D. (2021). Mandatory Mediation in India-Resolving to Resolve. *Indian Public Policy Review*, 2(2 (Mar-Apr)), 49-69.
16. Kumar, R. S. (2021). Resolving Pending Cases through Alternative Dispute Resolution under Section 89 of Civil Procedure Code. Available at SSRN 3896028.
17. Merchant (2006), Commercial Dispute Resolution, International Judicial Conference 2006, Supreme Court of Pakistan
18. Sharma, R. (2024). Resolving Corporate Conflicts outside the Courtroom: A Study of ADR Mechanisms and the Companies Act in India. Available at SSRN 4814779.
19. Shah, A. (2021). *International Commercial Arbitration in India: Challenges and Opportunities* (Doctoral dissertation, Maharaja Sayajirao University of Baroda (India)).
20. Singh, M. (2024). JUDICIAL EVOLUTION OF MEDIATION: BRIDGING THE GAP IN CONFLICT RESOLUTION.
21. Singha, S. (2024). Resolving Disputes Through Arbitration In India: Issues & Challenges In International Commercial Arbitration. *Library of Progress-Library Science, Information Technology & Computer*, 44(3).
22. Stone, K. V. (2004). Alternative Dispute Resolution. Encyclopedia of Legal History. University of California, Los Angeles School of Law Public Law & Legal Theory Research Paper Series, (04-30).
23. The Code of Criminal Procedure 1973
24. Ashraf, Z., Hussain, M. A., & Arshad, A. H. M. (2023). Jirga and Panchayat for the Resolution of Family Disputes in Pakistan: An Analytical Prospects. *Pakistan Journal of Criminology*, 15(3).
25. Won, S. K. (2013). Overview of alternate dispute resolution with special reference to arbitration laws in Pakistan. *J. Arb. Stud.*, 23, 149.
26. Mayal, M. (2023). Cultural Considerations in Advocacy: India. Global Arbitration Review. <https://globalarbitrationreview.com/guide/the-guide-advocacy/sixth-edition/article/cultural-considerations-in-advocacy-india>
27. Gautam, R., Kulshrestha, P., & Goswami, M. A. K. (2021). Mediation And Family Dispute Resolution Mechanism: A Case Study On Clinical Legal Education. *Elementary Education Online*, 20(3), 2490-2490.
28. Sapkal, R. S. (2015). To conciliate or not to conciliate: Empirical Evidence from Labour Disputes in India. *Labour Law Research Network*, (Feb. 2015), http://www.labourlawresearch.net/sites/default/files/papers/Sapkal_adr-2%20copy.pdf.