

# **Lok Adalat and Community Mediation: A Study on Their Role in Resolving Family and Community Disputes**

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**“Peace is not the absence of conflict, but the ability to cope with it”**

**MAHATMA GANDHI**

- **ABSTRACT**

Lok Adalat which is based on Gandhian Principle is an informal mode of dispute resolution mechanism outside the court. It is recognized in the Legal Service Authority Act, 1987. Community mediation which is mentioned in Section 43 of the Mediation Act, 2023 recognizes the need for resolution of disputes like community clashes, business disagreement, neighborhood disputes and land disputes by community mediation, and by which both of them became a significant part of the Indian Justice System. As family and community disputes have been significantly increasing, community mediation and Lok Adalat play a vital role in resolving these disputes and restoring peace. Family and community disputes mainly revolve around issues like maintenance, divorce, child custody, landlord - tenant issues, neighbor property issues respectively that are mainly dealt with by institutions of Lok Adalat and Community Mediation.

This research paper delves into the very basics of the concept of Lok Adalat and Community Mediation. Family and Community disputes being the central issue of our research paper, this paper touches upon the significant role of Lok Adalat and Community Mediation in resolving such issues. This paper also aims to explore the evolution, legal provisions and landmark cases backing the efficacy of Lok Adalat and Community Mediation in resolving family and community disputes. Furthermore, this research paper also recognizes the international relevance of Lok Adalat and Community Mediation mentioned in instruments like the International Covenant on Civil and Political Rights. It also explores the recent trends of Lok Adalat like E- Lok Adalats in India. Conclusively, this research paper supports the institutions of Lok Adalat and Community Mediation in resolving family and community disputes by providing legal provisions, landmark judgements as well as statistics showcasing the efficacy of these institutions.

Keywords:- Lok Adalat, Community Mediation, E- Lok Adalats, community clashes, Civil and Political Rights.

## **I. Introduction**

The knowledge about the background of the institution of Lok Adalat and community mediation becomes necessary when the main focus of this research paper revolves around, examining the efficacy of both the institutions in redressing and resolving the family matters and community disputes. Lok Adalat is one of the types of the Alternative Dispute Resolution Mechanisms, which means to resolve disputes outside the court by not following the traditional process. It was held for the first time in 1982 in Gujarat state, but without any legal backing.

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Then, the Legal Services Authority Act was framed by the Parliament in 1987 which legally recognizes the concept of Lok Adalat in Indian Judicial System.

On the other hand, Community Mediation which is one of the types of Mediation and also of the ADR method refers to a constructive dispute resolving process between individual groups and communities. It held its roots from traditional Panchayat system and in the pre-British era, Mahajan, respected businessmen were often consulted to mediate on commercial disputes. And finally, community mediation was given legal recognition in the Mediation Act, 2023.

## **II. Literature review**

a. Guides to Lok Adalat and Free Legal Services under the Legal Services Authority Act 1987 by Advocate S.K. Garg It focuses on choosing an alternative conventional court system as Court system is time and money consuming. It focuses on the positive aspects, needs and significance of Lok Adalats expressing its efficient features. It also provides for a detailed procedure to get a case resolved through Lok Adalat. Furthermore it features the relevant Acts and cases related to Lok Adalat.

b. Lok Adalat in India Genesis Law Practice and Prospects by Dr. Hemant Kumar Chand

This book explores the ancient justice dispensation system, the need for an alternate dispute resolution mechanism and the genesis of Lok Adalats in India and its process. It also explores the justice dispensation system during the British period. It showcases the objectives of Lok Adalat in India along with its significance.

## **III. Statement of research problem**

a) To examine the institutional efficacy of Lok Adalat and Community Mediation in redressing family and community disputes.

b) To examine the challenges and limitations faced by Lok Adalat and Community Mediation.

c) To provide for suggestions that how can Lok Adalat and Community Mediation be strengthened to better address family and community disputes.

## **IV. Objectives**

The main aim of this research paper is to study the institutional efficacy of both the institutions of Lok Adalat and Community Mediation. The paper also aims to discuss about the challenges that are faced by this institution in resolving the matter of family or community disputes. The research paper will also provide some suggestions which can be used to strengthen the Lok Adalat and Community Mediation to address the issues.

## **V. Methodology**

This research paper is mainly based on literature review, collection and compilation of already available materials. By arranging the findings of different case laws and precedents, this research paper is totally based on the existing laws and cases. Moreover, this research paper will provide the reader understanding about the laws and it will also aware them so that they can claim to their rights under the provided law.

## VI. Community Mediation: Meaning

Community mediation refers to a localized, informal dispute resolving process where there is a neutral third party resolving the dispute. It covers the disputes between communities such as neighborhood conflicts like noise complaints, boundary disagreements, business disputes such as commercial disagreement as well as family disputes like inheritance, financial disagreements etc.

Around the globe, community mediation has evolved to be an efficient dispute resolving mechanism for resolving disagreements among people, community and organizations.

### A. Statutory provisions

The provisions related to community disputes are provided in the Mediation Act, 2023 as :

#### • Section 43 of the Mediation Act, 2023

1) Any dispute likely to affect peace, harmony and tranquillity amongst the residents or families of any area or locality may be settled through community mediation with prior mutual consent of the parties to the dispute.

(2) For the purposes of sub-section (1), any of the parties shall make an application before the concerned Authority constituted under the Legal Services Authorities Act, 1987 or District Magistrate or Sub-Divisional Magistrate in areas where no such Authority has been constituted, for referring the dispute to mediation.

(3) In order to facilitate settlement of a dispute for which an application has been received under sub-section (2), the concerned Authority constituted under the Legal Services Authorities Act, 1987 or the District Magistrate or Sub-Divisional Magistrate, as the case may be, shall constitute panel of three community mediators.

(4) For the purposes of this section, the Authority or District Magistrate or the Sub- Divisional Magistrate, as the case may be, shall notify a permanent panel of community mediators, which may be revised from time to time.

(5) The following persons may be included in the panel referred to in sub-section (4)—

- (a) Person of standing and integrity who are respectable in the community;
- (b) Any local person whose contribution to the society has been recognised;
- (c) Representative of area or resident welfare associations;
- (d) Person having experience in the field of mediation; and
- (e) Any other person deemed appropriate.

(6) While making panel referred to in sub-section (4) the representation of women or any other class or category of persons may be considered.

Section 43 basically states the type of dispute that shall be dealt with community mediation. There shall be no prior consent of the parties to the dispute. Furthermore, it states that the number of community mediators that the concerned authority under The Legal Services

Authority Act, 1987 or the application from any of the parties constitute, shall be three. Additionally, it includes the persons referred in the panel as well as the representation of women or any other class or category. The procedure that the community mediation shall follow has been provided under Section 44 of The Mediation Act, 2023.

- Section 44 of The Mediation Act, 2023

(1) Any community mediation shall be conducted by the panel of three community mediators referred to in sub-section (3) of section 43 who shall devise suitable procedure for the purpose of resolving the dispute.

(2) The community mediators shall endeavour to resolve disputes through community mediation and provide assistance to parties for resolving disputes amicably.

(3) In every case where a settlement agreement is arrived at through community mediation under this Act, the same may be reduced into writing with the signature of the parties and authenticated by the community mediators, a copy of which be provided to the parties and in cases where no settlement agreement is arrived at, a non-settlement report may be submitted by the community mediators to the Authority or the District Magistrate or the Sub-Divisional Magistrate, as the case may be, and to the parties.

(4) Any settlement agreement arrived at under this Chapter shall be for the purpose of maintaining the peace, harmony and tranquillity amongst the residents or families of any area or locality but shall not be enforceable as a judgment or decree of a civil court. Mediation institutes. Community mediation. Procedure for community mediation.

(5) The provisions of section 20 shall, mutatis mutandis apply, in relation to the registration of mediated settlement agreement under this section. This section talks about the assistance provided by mediators to the parties to resolve the dispute. It focuses on the documentation of any settlement agreement as a result of the community mediation. It also states the procedure to be followed at the circumstance of the non-settlement of the dispute. Furthermore, it talks about the enforceability of the settlement agreement as a result of community mediation.

## B. Features of Community Mediation

### 1. Neutral third party

There shall be a neutral third party as the mediator in community mediation. According to Section 43 of The Mediation Act, 2023 the number of mediators that the concerned authority under The Legal Services Authority Act, 1987 or district magistrate or sub-divisional magistrate constitute shall be three in number. The function of the mediator shall be resolving disputes amicably among the parties.

### 2. Flexible and informal

The nature of dispute resolution in community mediation is informal and flexible as the mediator focuses on resolving disputes amicably. Mediation is an informal mechanism as the mediator is not a judge or a judicial member but it is often a community member who helps the parties to reach a solution.

### 3. Voluntary and mutual consent

Community mediation requires the mutual consent of both the parties. It is a voluntary process where both the parties agree to refer to community mediation voluntarily. No one can be forced to mediate without his own willingness.

### 4. Community based

Community mediation is community based which means that the mediators are often the local residents of the community who understand and are well versed with the rules, norms and traditions of the community which helps in easier dispute resolution.

### 5. Wide range of disputes

Community mediation includes the wide range of disputes that shall be dealt under this mechanism such as interpersonal family disputes, neighbourhood disputes, community disputes etc. Community mediation is not empowered to deal with criminal cases such as murder, rape, dacoity etc.

### 6. Solution oriented

Community mediation is a solution oriented mechanism where the objective of the of the mechanism is to provide solution to the parties according to their needs and conditions rather than imposing a decision on them.

## **VII. Significance of Community mediation**

Followings are the significance of Community Mediation-

1) Community Empowerment - Community mediations empower communities to resolve disputes through mediation process which help in the empowerment of community without any conflict of interest.

2) Flexibility – Community mediation is a flexible process allowing both of the disputing parties to tailor their agreements to their specific circumstances, convenience and needs.

3) Cost – Effective – Community mediation process is also very cost effective, because it does not follow traditional method of court and litigation fees, which reduces the financial burden on both of the disputing parties.

4) Focus on Resolution – The main focus of the community mediation is on the resolution of the disputes arise between the parties, rather than stretching the issue and this also help in the preservation of the relationship between both the parties and it also reduces the chance of further escalation of conflict.

5) Accessible and Inclusive – Community mediation is often more accessible to the people and inclusive than traditional litigation which provides better platform for diverse voices to be heard and to resolve the dispute amicably between the parties.

6) Speedy Justice – The community mediation provides speedy justice to the people because it does not follow the traditional mechanism for resolving the dispute which results in

the bearing of both time and cost of the disputed parties and through this mechanism they get speedy justice.

### **VIII. Limitations of the Community Mediation**

Community mediation is a valuable tool for resolving disputes at the local level, often focusing on issues such as neighbourhood conflicts, family disputes, and community disagreements. However, like any approach, it has its limitations. Below are detailed explanations of the limitations:

#### **1) Limited Scope**

**Nature of Disputes:** Community mediation is typically more effective for minor disputes or interpersonal conflicts rather than complex legal issues or large-scale disputes involving significant legal or financial implications. For example, while it can address neighbor disputes over property lines or noise complaints, it may not be suitable for cases involving serious criminal charges or intricate business disputes.

**Types of Cases:** Some issues may require specialized knowledge or expertise that mediators may not possess. For instance, cases involving mental health issues, domestic violence, or substance abuse might necessitate professional intervention beyond what community mediators can offer.

#### **2) Lack of Resources**

**Training and Expertise:** Effective mediation requires skilled mediators who are trained in conflict resolution techniques. A lack of trained personnel can lead to ineffective mediation sessions and unsatisfactory outcomes for the parties involved.

**Support Services:** Effective mediation often requires access to additional support services (e.g., counselling, legal advice). A lack of collaboration with these services can hinder the mediation process and limit the ability of mediators to address underlying issues.

#### **3) Cultural and Language Barriers**

**Cultural Differences:** Different cultural backgrounds can influence communication styles, conflict perceptions, and negotiation approaches. Mediators who do not understand these cultural nuances may misinterpret behaviours or fail to create an environment conducive to open dialogue.

**Language Proficiency:** Language barriers can significantly impede the mediation process. If participants are not fluent in the language used during mediation, they may struggle to express themselves fully or understand the proceedings. This can lead to misunderstandings and a lack of clarity in agreements.

### **IX. Lok Adalat: Meaning**

Lok Adalat is an informal mechanism of alternate dispute resolution which focuses on resolving disputes between two parties quickly and cheaply. It is often outside the traditional Court system. It translates to 'People's Court' in English. It proves as an efficient alternative to lengthy Court proceedings. It addresses both the pending cases in the Court as well as the cases

that are at pre- litigation stage. It primarily handles civil cases, matrimonial disputes and land disputes. It's main focus is on tax issues.

#### A. Levels and composition of Lok Adalat

##### 1. State Authority Level

It is organized from the State Legal Services Authority by the member secretary. The member secretary would constitute benches of Lok Adalat where each bench would comprise of a sitting retired Judge of a High Court or any sitting or retired judicial officer and anyone or both of either a member from the legal profession or a social worker interested in upliftment of weaker sections.

##### 2. Taluk Level

The Lok Adalat constituted by the Secretary of the Taluk Legal Services Committee comprises of a sitting or a retired judicial officer and anyone or both of either a member from legal profession or social worker engaged in upliftment of weaker sections.

##### 3. District Level

The Lok Adalalt constituted by Secretary of the District Legal Services Authority comprises of a sitting or retired judicial officer and anyone of both of either a member from the legal profession or a social worker interested in upliftment of weaker sections.

##### 4.National Lok Adalat

National Lok Adalats are held all over the country on a single day in regular intervals. The focus of National Lok Adalats is to dispose off a large number of cases and hence they are held at every level throughout the country right from the Supreme Court to the Taluk Levels. From February 2015, National Lok Adalats are being held on a specific subject matter every month.

#### B. Nature of cases referred to Lok Adalat

Any case which is pending before any Court and if the Court is of the opinion that the case is suitable to be referred to Lok Adalat, it shall be referred to Lok Adalat. Any dispute likely to be filed before the Court It includes those disputes that have not been brought before the Court yet but they are very likely to be filed before a Court or brought before a Court. Such cases shall be directly referred to the Lok Adalat.

#### C. Statutory Provisions

- Section 19 of the Legal Services Authority Act, 1987

Organisation of Lok Adalats :- (1) Every State Authority or District Authority or the Supreme Court Legal Services Committee or every High Court Legal Services Committee or, as the case may be, Taluk Legal Services Committee may organize Lok Adalats at such intervals and places and for exercising such jurisdiction and for such areas as it thinks fit.

(2) Every Lok Adalat organised for an area shall consist of such number of—

(a) Serving or retired judicial officers; and

(b) Other persons, of the area as may be specified by the State Authority or the District Authority or the Supreme Court Legal Services Committee or the High Court Legal Services Committee, or as the case may be, the Taluk Legal Services Committee, organising such Lok Adalat.

(3) The experience and qualifications of other persons referred to in clause (b) of sub-section

(2) For Lok Adalats organised by the Supreme Court Legal Services Committee shall be such as may be prescribed by the Central Government in consultation with the Chief Justice of India.

(4) The experience and qualifications of other persons referred to in clause (b) of sub-section

(2) For Lok Adalats other than referred to in sub-section (3) shall be such as may be prescribed by the State Government in consultation with the Chief Justice of the High Court.

(5) A Lok Adalat shall have jurisdiction to determine and to arrive at a compromise or settlement between the parties to a dispute in respect of—

(i) Any case pending before; or

(ii) Any matter which is falling within the jurisdiction of, and is not brought before, any Court for which the Lok Adalat is organised:

Provided that the Lok Adalat shall have no jurisdiction in respect of any case or matter relating to an offence not compoundable under any law.

• Section 20 of the Legal Services Authority Act, 1987

Cognizance of cases by Lok Adalat. —(1) Where in any case referred to in clause (i) of sub-section (5) of section 19, —

(i)

(a) The parties thereof agree; or

(b) one of the parties thereof makes an application to the Court, for referring the case to the Lok Adalat for settlement and if such court is prima facie satisfied that there are chances of such settlement; or

(ii) The court is satisfied that the matter is an appropriate one to be taken cognizance of by the Lok Adalat, the Court shall refer the case to the Lok Adalat:

Provided that no case shall be referred to the Lok Adalat under sub-clause (b) of clause (i) or clause (ii) by such court except after giving a reasonable opportunity of being heard to the parties.

(2) Notwithstanding anything contained in any other law for the time being in force, the Authority or Committee organising the Lok Adalat under sub-section (1) of section 19 may, on receipt of an application from any one of the parties to any matter referred to in clause (ii) of sub-section (5) of section 19 that such matter needs to be determined by a Lok Adalat, refer such matter to the Lok Adalat, for determination:

Provided that no matter shall be referred to the Lok Adalat except after giving a reasonable opportunity of being heard to the other party.

(2) Where any case is referred to a Lok Adalat under sub-section (1) or where a reference has been made to it under sub-section (2), the Lok Adalat shall proceed to dispose of the case or matter and arrive at a compromise or settlement between the parties.

(3) Every Lok Adalat shall, while determining any reference before it under this Act, act with utmost expedition to arrive at a compromise or settlement between the parties and shall be guided by the principles of justice, equity, fair play and other legal principles.

(4) Where no award is made by the Lok Adalat on the ground that no compromise or settlement could be arrived at between the parties, the record of the case shall be returned by it to the court, from which the reference has been received under sub-section (1) for disposal in accordance with law.

Where no award is made by the Lok Adalat on the ground that no compromise or settlement could be arrived at between the parties, in a matter referred to in sub-section (2), that Lok Adalat shall advise the parties to seek remedy in a court.

(5) Where the record of the case is returned under sub-section (5) to the court, such court shall proceed to deal with such case from the stage which was reached before such reference under sub-section (1).]

• Section 21 of the Legal Services Authority Act, 1987

Award of Lok Adalat.—(1) Every award of the Lok Adalat shall be deemed to be a decree of a civil court or, as the case may be, an order of any other court and where a compromise or settlement has been arrived at, by a Lok Adalat in a case referred to it under sub-section (1) of section 20, the court-fee paid in such case shall be refunded in the manner provided under the Court-fees Act, 1870 (7 of 1870).

(2) Every award made by a Lok Adalat shall be final and binding on all the parties to the dispute, and no appeal shall lie to any court against the award.

• Section 22 of the Legal Services Authority Act, 1987

Powers of Lok Adalat or Permanent Lok Adalat.—(1) The Lok Adalat or Permanent Lok Adalat shall, for the purposes of holding any determination under this Act, have the same powers as are vested in a Civil Court under the Code of Civil Procedure, 1908 (5 of 1908), while trying a suit in respect of the following matters, namely:—

- (a) The summoning and enforcing the attendance of any witness and examining him on oath;
- (b) The discovery and production of any document;
- (c) The reception of evidence on affidavits;
- (d) The requisitioning of any public record or document or copy of such record or document from any court or office; and
- (e) Such other matters as may be prescribed.

(2) Without prejudice to the generality of the powers contained in sub-section (1), every [Lok Adalat or Permanent Lok Adalat] shall have the requisite powers to specify its own procedure for the determination of any dispute coming before it.

(3) All proceedings before a 2[Lok Adalat or Permanent Lok Adalat] shall be deemed to be judicial proceedings within the meaning of sections 193,219 and 228 of the Indian Penal Code (45 of 1860) and every [Lok Adalat or Permanent Lok Adalat] shall be deemed to be a Civil Court for the purpose of section 195 and Chapter XXVI of the Code of Criminal Procedure, 1973 (2 of 1974).

#### D. Features of Lok Adalat

##### 1. Speedy resolution

Lok Adalat is time efficient as compared to Court proceedings as it takes less time and resolves a dispute quickly often in a single sitting unlike lengthy process of regular Courts.

##### 2. Cost effective

Lok Adalat is the most cost effective mechanism of alternate dispute resolution system as there is no Court fee charged for settling a dispute at Lok Adalat. Hence, dispute resolution at Lok Adalat is free promoting community welfare alongside justice delivery. If a case is already pending in a regular Court, the fee is refunded upon the settlement in Lok Adalat.

##### 3. Reduced burden on Courts

Lok Adalats reduce the burden on Courts by referring the cases to it that are pending before the Court or are likely to be filed before the Court as provided under Section 19(5).

##### 4. Flexible

Lok Adalat procedure is very flexible in nature providing fast and amicable resolution of disputes. They are not bound by strict rules of evidence and procedure that govern regular Court proceedings, allowing for a more flexible and adaptable approach to dispute resolution.

#### E. Cases

##### 1. Estate Officer (S) v. Colonel H.V. Mankotia (Retired) (S) (2021)

###### Facts of the Case:-

The appellant Colonel H.V. Mankotia, filed a writ petition seeking judicial intervention. It was then referred to Lok Adalat organized by Madhya Pradesh High Court. The Lok Adalat after attempting to mediate the dispute, dismissed the petition without reaching any settlement. The appellant then challenged the Lok Adalat's authority in Supreme Court.

###### Issues raised:-

The main issue of this case was whether Lok Adalats have the authority to decide cases on their merit in the absence of settlement between the parties?

###### Judgement:-

The judgment was relied on the precedent set in State of Punjab v. Ganpat Raj (2006)<sup>11</sup> where Supreme Court clearly stated that Lok Adalats are not empowered to resolve disputes on their merits. Hence the Court examined the provisions of The Legal Services Authority Act, 1987 mainly Section 19 and Section 20 to delineate the jurisdictional boundaries of Lok Adalats. Hence the Court held that Lok Adalats are forum for dispute resolution and they do not possess the jurisdiction to adjudicate the cases on merit.

## 2 P.T. Thomas v. Thomas Job (2005)

### Facts of the case

P.T. Thomas who was the petitioner, was brother of Thomas Job, respondent. In 1979, a suit was filed by P.T. Thomas for removal of a structure on land and vacant possession. The Trial Court decreed in 1981 after which the Appellate and Supreme Court proceedings followed with confirmation of decree in 1993. The matter was then referred to Lok Adalat in 1999 which passed an order where Thomas Job would pay 9.5 lakh rupees in return for P.T. Thomas demolishing the part of building and transferring property. Subsequently the non-compliance of the decision let Thomas Job to seek its execution in the Court.

### Issues raised

The main issue was that whether a Lok Adalat award equivalent to Court decree or not? And can executing Court enforce an award if one party delays?

### Judgment of the case

It was held by the Court under Section 21 of The Legal Services Authority Act, 1987 that Lok Adalat awards "shall be deemed to be a decree of Civil Courts" and they are final and unappealable and such awards are enforceable through execution procedures.

## **X. Significance of Lok Adalat**

- 1) Reduced burden on Courts- By resolving disputes through the mechanism of Lok Adalat, the pendency of cases in the courts reduces significantly, which helps the judiciary to focus on more complex matters. The burden of cases on the courts is also recognized in the speech made by the then CJI on 26th November, 2004.
- 2) Promotion of harmony- The main focus of Lok Adalat is on resolving disputes through compromise rather than providing punishments to the defaulter party. It also fosters compromise and prevents enmity between the disputing parties and thereby promotes reconciliation between both of them.
- 3) Cost- effective- The absence of court fees in the proceedings of Lok Adalat makes it cost-effective, which makes the justice accessible to all, regardless of their financial status.
- 4) Speedy justice- The significance of the Lok Adalat also relies upon its speedy resolution. Because Lok Adalat does not follow the traditional approach which results in the speedy trial.
- 5) Wide Scope- Lok Adalat's functioning under the Legal Services Authority Act, 1987 differ sharply from the earlier Nyaya Panchayat and it has wider scope as compared to the former.

6) Binding nature- The awards made by the Lok Adalat are legally binding on the parties and final in their nature. It means that there shall no appeal lie from the awards of the Lok Adalat.

## **XI. Limitation of Lok Adalat**

Lok Adalats, or People's Courts, are alternative dispute resolution mechanisms in India designed to provide a speedy and cost-effective resolution to civil and criminal disputes. While they have several advantages, they also come with limitations. Here's a detailed explanation of the limitations:

### **1) Limited Scope for Appeal**

**Nature of Decisions:** The decisions made by Lok Adalats are generally final and binding. Once a matter is settled through Lok Adalat, the parties cannot appeal against the decision in a higher court. This is because the essence of Lok Adalat is to provide quick and amicable resolutions, which could be undermined by prolonged appeals.

**Impact on Justice:** This limited scope for appeal can be problematic if one party feels that the decision was unjust or if new evidence comes to light after the settlement. The inability to appeal can lead to situations where a party may feel compelled to accept an unfavourable outcome simply to avoid the costs and time associated with traditional litigation.

### **2) Consent of Both Parties Required**

**Voluntary Nature:** Lok Adalats operate on the principle of voluntary participation and mutual consent. Both parties must agree to settle their dispute through this mechanism. This requirement can limit access for individuals who may wish to pursue resolution but face unwillingness from the other party.

**Power Imbalance:** In cases where there is a significant power imbalance (e.g., between an employer and employee), one party might feel pressured to agree to a settlement that is not in their best interest. The need for consent can inadvertently protect the interests of more powerful parties while leaving vulnerable parties without adequate recourse.

### **3) Lack of Awareness**

**Public Knowledge:** Many people are still unaware of the existence and functioning of Lok Adalats. This lack of awareness can prevent individuals from utilizing this alternative dispute resolution mechanism, leading them to pursue traditional court processes that are often lengthy and expensive.

**Information Dissemination:** While efforts have been made to promote Lok Adalats, there is still a significant gap in information dissemination, especially in rural areas or among marginalized communities. Without adequate outreach and education about how Lok Adalats work, potential users may miss out on an opportunity for a quicker resolution.

## **XII. Conclusion**

The overload burden on Indian Judicial system suggests for effective alternate dispute resolution system outside the Courts for family and community disputes. Lok Adalat and

Community Mediation has played a significant role in resolving family and community disputes over the years. Ever since the genesis of Lok Adalat in India, local disputes relating to family such as maintenance, inheritance etc have been resolved quickly due to its flexible nature. On the other hand, Community Mediation has seen a significant growth in community dispute resolution since the enforcement of The Mediation Act, 2023. Ultimately this paper concludes that the mechanisms of Lok Adalat and Community Mediation are highly efficient in resolving family and community disputes.

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