
ROLE OF ALTERNATIVE DISPUTE RESOLUTION (ADR) IN INDIAN MATRIMONIAL DISPUTES

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ABSTRACT

In a developing country like India, matrimonial disputes often act as a challenge as they deal with various aspects such as legal, social, and emotional challenges, and thus make conventional litigation procedure inadequate and inappropriate. The judicial system is already heavily burdened with delays, and its adversarial nature often ends up aggravating family disputes rather than resolving them. Alternative Dispute Resolution (ADR) mechanisms such as Mediation, Conciliation, Negotiation and Lok Adalats act as a convenient platform for such matrimonial dispute resolution. They are much more humane, cost-effective, and an efficient approach. This paper explores the significance and scope of ADR mechanisms in matrimonial disputes, especially in the Indian context. It also emphasizes its role of preserving relationships, ensuring privacy, and promoting speedy and effective justice mechanisms in line with Article 21¹ and Article 39A² of the Constitution. The study also focuses on the various statutory provisions under the Civil Procedure Code³, The Family Courts Act⁴ and other personal laws. It analyses landmark judgements and identifies challenges such as a lack of awareness, unequal bargaining power and role, and lack of professional training. Based on this analysis, the paper also proposes certain reforms, such as pre-litigation mediation, standardized compulsory training, and so on. Ultimately, the paper summarizes and concludes that ADR is not merely an option but rather a necessary complementary mechanism that fosters amicable settlements that uphold legal principles and human relationships, creating a win-win situation.

¹ INDIA CONST. art. 21.

² INDIA CONST. art. 39A.

³ The Civil Procedure Code 1908, Acts of Parliament, 1908 (India).

⁴ The Family Court Act, Acts of Parliament, 1908 (India)

INTRODUCTION

Alternative Dispute Resolution system in the words of Abraham Lincoln: “discourage litigation, persuade your neighbours to compromise whenever you can”. ADR is not a foreign concept in India. Traditionally, the conflict settlements included resolving disputes relating to trade, property and family. ADR is considered to be an effective alternative to litigation, which involves various methods like Mediation, negotiation, arbitration, conciliation, etc. ADR is well known for its features like speedy progression, inexpensive, and flexible procedures. In India, disposal of cases is time-intensive. Adjournments have become a setback to justice. Previously, in the pre-British era, the panchayat system was predominant in India and played an important role in resolving disputes. Matrimonial disputes were also resolved by the panchayats. Marriage and family play a substantial role in the evolution of society. There might be many conflicts that arise in families over different issues like divorce, domestic disputes, maintenance, etc. Marriage is believed to be the foundation of a family and society. In a marriage, two individuals get married to each other; they come with different interests, goals, and opinions, so they are bound to get into disputes, which might create an impediment to the institution of marriage, which is considered to be sacred. When the dispute aggravates and there is no other way to resolve the dispute other than separating from each other, it leads to a matrimonial dispute. Matrimonial disputes are surrounded by social, financial, and emotional dimensions, especially in India, with different religious, cultural, and legal references. It becomes difficult to resolve the dispute quickly, especially when it comes to accommodating Hindu Law. Sections 89 of the Code of Civil Procedure ⁵ and the Arbitration and Conciliation Act 1996 ⁶ have been two crucial enactments in the context of ADR in India. The Indian judiciary also encourages ADR methods to solve matrimonial and family disputes. Enactments like the Hindu Marriage Act 1955⁷, Family Courts Act 1984⁸, the Civil Procedure Code 1908⁹, and the Legal Services Authorities Act 1987 ¹⁰ all these enactments have references relating to mediation and conciliation in matrimonial disputes, which will help them solve the disputes amicably. The litigation system often fails to offer speedy justice and aggravates the dispute due to its adversarial nature. Relationships are considered to be sensitive to such dispute litigation process may worsen the dispute as it might cause permanent scar, and is not ideal to

⁵ The Civil Procedure Code 1908, §89, Acts of Parliament, 1908 (India)

⁶ The Arbitration and conciliation act, Acts of Parliament, 1996 (India)

⁷ The Hindu Marriage Act, Acts of Parliament, 1955 (India)

⁸ The Family courts Act, Acts of Parliament, 1984 (India)

⁹ The Civil Procedure Code 1908, Acts of Parliament, 1908 (India)

¹⁰ The Legal Services Authorities Act, Acts of Parliament, 1987 (India)

solve the dispute without harming the relationship. It is guaranteed under the Constitution of India, “speedy justice,” which undermines the goal of ADR methods. Under Article 21¹¹ right to a speedy trial is guaranteed, and Article 39A,¹² which enunciates free legal aid. Taking into consideration this country’s diverse social, legal, and cultural situation. ADR is an effective method to resolve sensitive disputes like matrimonial disputes. As India progresses forward towards a better approach to reduce the effect of adjournments, the emphasis on ADR mechanisms is increasing, which will lead to formalising ADR methods, like enacting legislation like the Mediation Act 2023¹³. India is starting to embrace the new modern legal solutions to challenges while keeping traditional values intact.

SCOPE OF THE PROBLEM

Matrimonial disputes in India have a wide coverage, in India such as divorce, legal separation, restitution of conjugal rights, custody of children, guardianship, maintenance, alimony, division of property, domestic violence, and any other inheritance-related issues that are dealt with by the respective family law. While these disputes have a legal impact on the parties, it also carry along with it emotional, cultural, and social repercussions. This is a key element since, unlike commercial disputes, where emotions are not a part of it, matrimonial disputes deal with relationships that shall continue even after dispute resolution. Litigation, being adversarial, complex, and rigid in nature, doesn’t help much in the existing family-related tensions; in fact, it ends up aggravating the status quo, which might result in an outcome that is legally final and precise but emotionally and socially unsatisfactory.

1. Burden of Litigation

The central problem in any issue opting for litigation is that the Indian judiciary is heavily burdened with so many pending cases to deal with. As of 2024, there are almost 50 million pending cases across different levels of courts. Out of these matters, family disputes account for a major share. As discussed by Anil Malhotra and Ranjit Malhotra, the main reason being establishing family courts was to make justice speedy, fair, less formal, and effective, but unfortunately, in reality, even this court ended up being

¹¹ INDIA CONST. art. 21.

¹² INDIA CONST. art. 39A.

¹³ The Mediation Act 2023, Acts of Parliament, 2023 (India).

clogged with pending cases stretching over for decades.

Especially, matrimonial disputes are prone to be delayed for over a year since it involve multiple meetings for various proceedings involved, such as divorce petitions, application for custody, claim of maintenance under section 125 of CRPC¹⁴, domestic violence complaints, if any, and any other related disputes arising out of such matrimonial relationship. Each of these complaints or claims involved are separate filing in court and is thus heard separately, delayed separately, and judged separately, thus making it a fragmented process to get justice.

While such prolonged delays are a waste of time, it also cost the parties involved financially. As stated by Mr Naman Bnasal, the longer a matrimonial dispute is dragged, the greater the risk that children become pawns in the conflict and spouses become entrenched in hostility. The psychological effect on the parties involved can be very extreme, especially towards women who are dependent financially and socially pointed out during such lengthy proceedings.

2. Impact on the Family, especially children

While we all agree that litigation is expensive monetarily, the human cost of such unresolved disputes is much more severe. A delayed dispute resolution process destabilizes the household at its core. It ends up straining the relationships of a family. Analysis of the empirical data used by mr Poonawalla explains how children stuck in between such matrimonial disputes end up facing a decline in their academic performance, face emotional distress, and struggle identities. While commercial disputes are often resolved through financial settlements, matrimonial disputes require consistent cooperation from all parties involved, such as child support, co-parenting, and so on. This is made even more difficult in adversarial litigation, as its main feature is to declare the winning and losing parties.

Thus, the scope of a matrimonial dispute extends beyond the limited parties involved. It drags down the entire family, especially when the process is delayed. It disrupts relationships and also carries a social stigma along.

¹⁴ The Criminal Procedure Code 1973, §125, Acts of Parliament, 1973 (India).

3. Systematic inefficiency and accessibility of justice

The main motive behind the establishment of the Family Courts Act 1984 was to make litigation in matrimonial matters more accessible, efficient, and conciliatory in nature; however, this failed since the system was not much different from ordinary court proceedings. Complex formalised procedures, adversarial nature of arguments, and constant adjournments set off the vision of quick, fair, and informal resolution. It was also highlighted by Malhotra and Malhotra that despite the eligibility of matrimonial disputes to be resolved through conciliation under section 9¹⁵ Family courts often turn a blind eye towards such an approach.

These issues are multiplied exponentially due to heavy charges for economically weaker sections of society. While the court fees in family matters are nominal, the litigation expenses that include lawyer fees, travel expenses, and lost opportunity costs skyrocket the total amount. Especially when it comes to maintenance or alimony claims, most of the parties leave midway as they find it difficult to afford. This unjustly prevents them from equal access to justice as guaranteed under Article 39A¹⁶.

Conversely, ADR mechanisms offer a much simpler, cost-effective, and flexible procedure to resolve disputes. This is observed to be put into practice practically in Lok Adalats, where pre-litigation disputes can be settled within a day, and similarly, mediation centres offer a schedule to resolve suitable and amicable to both parties involved. The main hurdle here for its success is the lack of awareness of such mechanisms, which allow litigants to stay trapped in the hectic litigation procedure.

4. Legal challenges of matrimonial disputes

Another complexity is the existence of multiple legal frameworks that govern matrimonial disputes in India. Hindu marriages are governed by the Hindu Marriage Act, 1955; Muslim marriages are governed by their own personal law, Parsis by the Parsi Marriage and Divorce Act, 1936¹⁷ Inter-religion marriages by the Special Marriage Act 1954¹⁸ and so on. Each of these frameworks has its own unique provisions dealing

¹⁵ The Arbitration and Conciliation Act 1996, §9, Acts of Parliament, 1996 (India).

¹⁶ INDIA CONST. art. 39A.

¹⁷ The Parsi Marriage and Divorce Act 1936, Acts of Parliament, 1936 (India).

¹⁸ The Special Marriage Act 1954, Acts of Parliament, 1954 (India).

with various aspects of a marriage, which makes it a very complex issue to categorize which issue falls under what legal statute. This complicates and confuses dispute resolution. However, ADR mechanisms are uniform irrespective of caste, religion, creed, and sex. They act as a neutral third-party platform to settle marital disputes in a much more efficient manner. This makes ADR special since a common framework prevents delays and avoids confusion, thus saving time, money, and relations.

5. Constitutional and human rights aspect

Article 21¹⁹ guarantees the right to life and liberty, and this cannot be compromised. However, the delays observed in the justice delivery system constantly end up underscoring and violating this basic right. Especially in matrimonial conflicts, it not only violates Article 21, but also the child's right to enjoy a stable family. Scholars often highlight that the need for ADR in resolving matrimonial disputes is not only a measure for ensuring efficiency but also acts as a constitutional essential.

Thus, the issue is not just the delay but the challenge here is to ensure that even if an ADR mechanism is adopted, it needs to be equitable and sensitive towards individuals' rights.

Summary of the problem

So, the scope of the problem can be categorized as follows:

1. Inefficiency of the system
2. Impact on the parties involved
3. Legal and constitutional aspects

ADR answers all these 3 problems. ADR has become indispensable in today's world due to the existence of the above-discussed issues, and adopting such a mechanism is the most beneficial in the resolution of matrimonial disputes.

¹⁹ INDIA CONST. art. 21.

LITERATURE REVIEW

Kumar M. Hindu law, legal system, and philosophy: A discourse on recontextualizing legal studies in India. *Legal System and Philosophy*: This paper emphasizes on Indian Legal system while focusing on Legal Philosophy and Hindu Law, and talks about the need to rewrite the Indian Legal studies in the context of present challenges. Hindu law has been deeply rooted in ancient works and texts, and follows traditional norms that are hardly applicable to modern legal education. This study focuses on how Hindu legal norms can be incorporated into the existing and modern legal studies to enrich the Legal Jurisprudence²⁰.

Tyagi N. Women, matrimonial litigation and alternative dispute resolution (ADR): Transforming the Indian justice delivery system for achieving gender justice. Springer; c2021: This piece of research focuses on the potential of ADR processes to solve disputes within the subject of Matrimonial disputes, which are emotionally and legally challenging. ADR is considered to be less adversarial and focuses on a more empathetic approach. This research also focuses on how ADR has the potential to reduce the difficulties of women in the conventional litigation process.²¹

Menski, W. (2010). The Hindi law stems out of spirituality, philosophy, and ethical principles. Hindu law deals with aspects related to family, marriage, and inheritance, which derive relevance from the Manusmriti, the Vedas, and the Dharma Shastra. The abstract talks about how Hindu law influences modern legal norms, how it functions, and its acceptance in modern times. Hindu law is paving its way into the legal system by combining traditional values with changing norms.²²

Harrington, J., & Manji, A. (2017). This paper views Hindu Law in the context of marital disputes as an ideal system, but believes it to be a system that works in the real world and is very much influenced by factors like political, economic, and social. Recent legislative reforms and codifications, and interpretations of judicial texts, prove a dynamic shift of Hindu law from conventional concepts of dispute resolutions and adapting to Modern dispute resolution

²⁰ (PDF) Hindu law, legal system, and philosophy: A discourse on recontextualizing legal studies in India, https://www.researchgate.net/publication/353016691_Hindu_Law_Legal_System_and_Philosophy_A_Discourse_on_Recontextualizing_Legal_Studies_in_India (last visited Sep 23, 2025)

²¹ Women, matrimonial litigation and alternative dispute resolution (ADR) SpringerLink, <https://link.springer.com/book/10.1007/978-981-16-1015-8> (last visited Sep 23, 2025)

²² W. F. Menski. Hindu law. beyond tradition and modernity *Droit et cultures*. Revue internationale interdisciplinaire, <https://journals.openedition.org/droitcultures/592?lang=en> (last visited Sep 23, 2025)

mechanisms like mediation, conciliation, and arbitration, and set a pluralistic legal system. This views the legal system as a stage for courts and law practitioners to deal with modern matrimonial disputes from a realist approach.²³

ANALYSIS

The problem with respect to the resolution of matrimonial disputes in India is not just that thousands of cases exist, but the major issue is that the resolution of such disputes through litigation often worsens the conflicts. But ADR acts as a saviour of relationships in this situation and helps to respond in much better alternative ways.

Advantages of ADR mechanisms in marital dispute resolution:

1. Preserved relationships between parties involved

As discussed earlier, matrimonial disputes involve and deal with relationships between the parties involved, unlike commercial disputes. These conflicts, in fact, involve existing and continuing relationships. Such as a conflict between a couple who have to co-parent their children. But, on the contrary, to maintain such relationships and not to hurt them, ADR mechanisms provide us with mediation and conciliation procedures, which motivate and encourage understanding and communication between the parties involved to foster outcomes that preserve the relationships. As mentioned by Malhotra and Malhotra, the ADR mechanism aligns with the core and spirit of family law, which is more focused on the protection of relationships rather than on individual rights.

2. Confidentiality of the issue

A regular litigation mechanism is generally public and openly accessible, and makes the parties involved dealing with divorce or custody subject to social stigma. However, this is prevented in the ADR mechanism by ensuring privacy. Mediation sessions are generally closed-door, meaning confidential, and any kind of information exchanged during such sessions is not legally allowed to be used in court as evidence. This advantage was emphasized specifically by Bansal, as it is much more supportive

²³ The limits of socio-legal radicalism: Social and Legal Studies and third world scholarship Cardiff University | Prifysgol Caerdydd, <https://orca.cardiff.ac.uk/id/eprint/104511/> (last visited Sep 23, 2025)

towards women who are often subject to societal opinion and face substantial damage to their reputation. Thus, ADR provides psychological relief and acts as an advantage for the parties.

3. Cost benefits

A universally agreed fact – litigation is expensive, and the longer it's dragged out, the greater is the financial burden. Thus, this can be avoided by choosing ADR mechanisms that are comparatively affordable. ADR reduces the number of sessions to resolve disputes and ensures speedy settlements and thus lowering costs. The fact that Lok Adalats provide a completely free dispute resolution is an impressive aspect of ADR, as it ends up holding up the promise guaranteed under Article 39A – Equal justice and free and fair legal aid.

4. Speedy / quick resolution mechanism

On average, marital disputes are dragged on for years in Indian litigation. However, these disputes are resolved within a few sessions through mediation. It's much faster in Lok Adalat; the dispute is settled within a single day. This was emphasized through the judgment in Salem Advocate Bar Association, where it was stressed that the main motive behind enforcing Section 89 of CPC was to reduce the pendency of cases through introducing ADR mechanisms.

5. Autonomy of the parties involved

Opting for ADR mechanisms ensures the individuality of parties. It allows the parties to design their outcomes in a certain way that benefits individual needs beyond legal rights and claims. This can be observed in disputes related to custody. Here in the litigation mechanism, the court order is rigid and fixed, whereas the ADR mechanism offers a flexible approach where parents involved can discuss, communicate, and negotiate terms suitable for both to fix a mutually acceptable schedule. It was highlighted by Poonawalla that such an aspect of ADR makes parties feel empowered, thus enhancing their satisfaction with the settlement.

Types of ADR mechanisms available for the resolution of matrimonial disputes:**1. Mediation**

Mediation is the most chosen ADR method for resolving marital disputes. Mediation centres established and attached to courts exist across all the high courts and district courts in India. The main reason behind its wide reach is that mediators, who are the neutral third parties, facilitate proper communication between parties to reach viable solutions rather than rigidly imposing their version of a solution. This was even observed in the case of *Amardeep Singh vs Harveen Kaur*²⁴, where the Supreme Court realized the effectiveness and value of mediation and thus allowed their process of confirming genuine divorces with consent, instead of imposing the mandatory 6 months cooling period universally. Thus, it is proven at this point that mediation is the most effective and efficient mechanism to deal with custody, maintenance, and mutual consent divorce disputes.

2. Conciliation

Conciliation is a voluntary mechanism, but is a much more formalized version of mediation. This was codified under the Arbitration and Conciliation Act, 1996. Compared to mediation, conciliation is a less chosen mechanism, but it is one of the top methods suggested by the Family Courts Act.

3. Lok Adalats

Lok Adalats are governed by the Legal Services Authorities Act, 1987. There are informal platforms of dispute resolution where panels comprising retired judges, lawyers, or even social workers facilitate the enforcement of a compromise between parties. This mechanism is effective, especially in property-related disputes, and is considered a decree passed by the civil court only. Lok adalats are free, making themselves easily available for the poor and weaker sections of society.

4. Negotiation

Negotiation is an informal mechanism that is also an important dispute resolution

²⁴ *Amardeep Singh vs Harveen Kaur*, AIR 2017 SUPREME COURT 4417.

method. In this method, parties end up resolving their dispute outside court with the help of their respective lawyers. Bansal has stated that negotiation is mostly opted for by parties who are motivated towards quick dispute resolution.

5. Arbitration

Use of arbitration in marital disputes is very rarely used, as they deal with issues of personal status, which are not arbitrable under the existing legal system. However, matters which are related to marriage, such as property division, can be resolved through arbitration. However, while it is a mode of ADR, it is still complex and binding in nature, making it a less attractive option. It even lacks confidentiality, which makes it less suitable to be opted for marital dispute settlement or, for that matter, any kind of family dispute resolution.

Challenges of ADR in marital disputes:

1. Imbalances in power

It is generally assumed that in ADR mechanisms, both parties enjoy equal status and power to negotiate their claims. However, in today's patriarchal society, women face social stigma and are under constant pressure, which forces them towards accepting unfair settlements. It was discussed by Poonawalla that ADR has a risk of reinforcing gender inequality if enforced without having proper safeguards in place. This is further worsened when mediators fail to recognize and address such imbalances for providing fair dispute resolution.

2. Lack of awareness

Most of the litigants in India are still unaware of the existence of ADR mechanisms, especially people from rural areas. Rural areas even lack mediation centres to enforce the same. It is high time to conduct a literacy campaign to increase awareness, especially among the rural population.

3. Quality of mediators

While awareness is one thing, the competency and credibility of mediators is essential.

This is a concern even in the 20th century due to the lack of uniform training standards for such mediators. Especially in the case of mediators dealing with family disputes, they not only require legal knowledge but also have to have a psychological insight. Thus, without proper standardized training, mediators may end up exploiting their power while dealing with sensitive marriage disputes, which undermines public interest and confidence in ADR mechanisms.

4. Enforceability

Enforceability is a concern in an ADR mechanism since mediation resolutions require the court's approval to be enforced and mandated. The decisions pronounced in Lok Adalats are enforceable and legally valid, but other ADR mechanisms are not directly enforceable, which makes it challenging. This leads to uncertainty and ends up contradicting the advantages of ADR

5. Cultural Hiccups

The whole concept of marriage is a part of the Indian value system and is very deeply rooted in the system. However, failed marriages ending in divorce are looked down on by society, and this social stigma is what prevents litigants from opting for ADR. This is because firstly, people don't want to end up with a settlement if the marriage failed, and the next important aspect is that people assume opting for ADR signals as a weakness or willingness towards compromise. This is assumed to affect the family's honour and thus discourages.

Thus, the Indian judicial system has recognized the potential that ADR has and taken a few steps to formalize it:

- District courts and high courts are now annexed with mediation centres which provide mediation services. This is observed to be a great success, especially in resolving marital disputes as seen in the Delhi High Courts' mediation centres.
- Similar to US and UK models of litigation, it is now a recent policy implementation of pre-litigation mediation in family disputes.
- Various law commission reports were issued supporting the enforcement of ADR

mechanisms

- Implementation of training programmes to train mediators in family law was an initiative taken by the MCPC (Mediation and Conciliation Project Committee)

Similarly, there are various judicial pronouncements that support ADR's importance in today's world. In *Afcons Infrastructure Ltd v. Cherian Varkey Construction Co.* (2010)²⁵ The Supreme Court reiterated and emphasized the scope of mediation under Section 89 of CPC. Though it doesn't directly deal with a matrimonial dispute, the principles held in this case reinforced and highlighted the centrality and importance of ADR's role in civil disputes, especially in family matters.

Statutory Provisions related to ADR in Matrimonial disputes:

1. Lok Adalat under the Legal Services Authority Act, 1987, which governs conciliation and mediation and informal settlements of disputes under litigation
2. Section 9 of the Family Courts Act, 1984, mandates the family court to put in efforts for settlement.
3. Section 89 of CPC aims to bring in ADR mechanisms to the core of the Indian Judicial system.
4. Sections 23(2) and 23(3) of the Hindu Marriage Act, 1955 look into reconciliation.
5. Section 34(3) of the Special Marriage Act looks into the reconciliation of the dispute among the parties.
6. Article 21 of the Indian Constitution, which guarantees the right to life, personal liberty to all. Supreme Court in the case of *Hussainarakhatoon vs Home Secretary, State of Bihar*²⁶. Widely interpreted right to life also included the right to marry and the right to a speedy trial.
7. Article 51(d) of the Indian Constitution²⁷ encourages resolving international disputes

²⁵ *Afcons Infrastructure Ltd v. Cherian Varkey Construction Co.* (2010), 2010) 8 SCC 24.

²⁶ *Hussainara Khatoon vs Home Secretary, State of Bihar*, 1980 SCC (CRI) 40.

²⁷ INDIA CONST. art. 51(d).

via arbitration, which also includes family arbitration, which further includes matters like child support, spousal support.

CONCLUSION

The core of matrimonial disputes is to restore the family ties and maintain sensitive relationships. Alternative dispute mechanisms can be used as a tool to resolve such disputes. Unlike litigation, ADR mechanisms focus on long-term social and psychological consequences. ADR, being inexpensive and speedy, deeply resonated with the current needs of the Indian judicial system. The existing legal framework, section 89 of CPC, the Hindu Marriage Act, and the Family Courts Act also promote ADR mechanisms as part of reviving and streamlining traditional principles. In the landmark cases like *Amandeep Singh vs Harveen Kaur*²⁸ and *Nikhil Kumar vs Rupali Kumar*²⁹ the courts have upheld the importance of conciliation between the parties. In the case of *Jagraj Singh v Bripal Kaur*³⁰ In case the court has held that the ADR processes are mandatory under section 23(2) of Hindu Marriage Act. Recognition of ADR has been instrumental in including ADR mechanisms in family disputes, which have been upheld in the landmark cases like *K Srinivas Rao v. D.A. Deepa*³¹, *Afcons Infrastructure v. Cherian Varkey*, and *B.S. Joshi v. State of Haryana*³². These cases reflect the increasing awareness.

While the ADR mechanisms are highly recommended, there is a need for regulation and improvement to overcome the challenges in mainstreaming the system for better outcomes. These challenges can be addressed by increasing the training of arbitrators and mediators, campaigns creating awareness in public, and informing the efficiency and importance of ADR mechanisms in resolving matrimonial disputes. They must have a mandatory Pre-litigation mediation system like the ones in UK and Singapore. The ADR mechanisms can be a great tool to reduce the impact of adjudication and to achieve more culturally acceptable resolutions while maintaining relationships.

²⁸ *Amandeep Singh vs Harveen kaur*, 2017 (8) SCC 746.

²⁹ *Nikhil Kumar vs Rupali Kumar*, AIR 2016 SUPREME COURT 2163.

³⁰ *Jagraj Singh v Bripal Kaur*, 2007 (2) SCC 564.

³¹ *K Srinivas Rao v. D.A Deepa*, AIR 2013 SUPREME COURT 2176.

³² *B.S. Joshi v. State of Haryana*, AIR 2003 SUPREME COURT 1386.