



॥वसुधैव कुटुम्बकम्॥



ADR S
ALTERNATIVE DISPUTE RESOLUTION SOCIETY

NATIONAL MEDIATION COMPETITION

27TH - 29TH MARCH, 2020



GENERAL INFORMATION

SEMI-FINAL "TO BE OR NOT TO BE"

Kishwar and Dhanraj met in college and it was love at first sight. Kishwar, being a Muslim and Dhanraj, a Hindu, there was stiff opposition from their respective families to their affair. After graduation, both Kishwar and Dhanraj went to Stanford University for master's in management. After returning to India, both decided to get married and settle down. They have now been married for five years and blessed with a son, Abhay, aged 2. Kishwar joined a prestigious company as vice-president and Dhanraj joined a multi-national company and quickly became a project head in the company. The parents of both, Dhanraj and Kishwar, boycotted the wedding and stopped talking to them. However, after the birth of Abhay, there was thawing of the relationship though their respective in-laws continued to be cold towards them.

After the birth of Abhay, Dhanraj convinced Kishwar to give up her job to look after the child. Though Kishwar was initially reluctant, she saw sense in Dhanraj's suggestion and decided to quit until such time that Abhay grows up to an age where he won't need her 24/7. However, problems and differences started cropping up between both, Dhanraj and Kishwar. There were frequent quarrels and arguments. Dhanraj was coming home very late and sometimes drunk. Kishwar used to keep dinner for him in the fridge but found it difficult to stay awake very late and would go to sleep. Later, when she found the dinner untouched on several occasions, she stopped keeping dinner for him. There was hardly any communication between them and whenever they did communicate, it ended in an acrimonious exchange. Kishwar was sure that Dhanraj was in a relationship with one of his colleagues, Dorothy.

This problem is drafted by Mr. A.J. Jawad for the 1st National Mediation Competition, 2020 at Symbiosis Law School, Hyderabad. Names, characters, places, events, locales, and incidents are used in a fictitious manner and any resemblance to actual persons, living or dead, or actual events is purely coincidental. All rights concerning the problem shall rest solely with the drafter and the work shall not be reproduced or copied by any means, without the prior permission of the drafter.



॥वसुधैव कुटुम्बकम्॥



ADR S
ALTERNATIVE DISPUTE RESOLUTION SOCIETY

One day, Kishwar had a surprise visitor, Suresh, who was a colleague of Dhanraj. That night, Kishwar had a confrontation with Dhanraj regarding his relationship with Dorothy. Dhanraj reacted angrily and the exchange became so acrimonious that Dhanraj came close to striking Kishwar. The same night, Kishwar decided to walk out with her son, leaving Dhanraj.

She decided to consult her lawyer, Ms. Sheila for the course of action to be taken. Since she did not have the means to get involved in a long drawn court battle, Ms. Sheila suggested both parties to consider the option of Mediation to arrive at a settlement. Kishwar and Dhanraj attend the mediation session with their respective lawyers.

