

JUSTICE SUCCESS STORY

Legal Aid Society resolves a complex land dispute case via its Alternate Dispute Resolution in Sanghar

It is a widely accepted fact that in Pakistan, the judicial system is slow-moving. Judges are overloaded with cases and this ultimately leads to a delay in justice for the most vulnerable and downtrodden members of our society who need swift and effective justice the most.

Alternative Dispute Resolution (ADR) is a mechanism that helps parties resolve their legal cases out of court through a legally recognized mediation process. Alternate Dispute Resolution is practiced by experienced High Court registered & nominated Lawyers (Saalis Members) who act as mediators, and mediation is done in complete compliance with national and/or provincial laws & regulations.

The Legal Aid Society has been actively running its Alternate Dispute Resolution program in 8 districts of Sindh., i.e. Karachi, Hyderabad, Larkana, Shaheed Benazirabad, Sukkur, Khairpur, Nawabshah, and Sanghar. LAS Field Officers map vulnerable communities in these districts and Field Advocates not only provide legal awareness about ADR to these communities but actively identify and take on cases of community members and pursue them through ADR. One of the recent successes of the LAS ADR was to facilitate two parties in a peaceful settlement over a land dispute in Sanghar, which was pending (Case #24/2018) in Dakh Loha court, Sanghar Sindh.

The complainant Mr. Jan Muhammad had earlier accused another party of the illegal

occupation of his land during the time that he was not in town. Before this case was referred to LAS's ADR Field Team, the incident was taken to the aforementioned civil court on March 19, 2020, in the form of 3 different registered cases, thus making it more complicated. While the court referred the case for mediation on **November 9, 2020**. LAS's ADR Field Officers and Field Advocates then coordinated with both parties, held several meetings, issued them official notices, negotiated the course of action, and got the case settled by **December 5, 2020**, that is, within a month.

The case is now considered to be resolved in the Dakh Loha court through LAS ADR

intervention;

Field mediator from LAS ADR program:
Rana Mehboob



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Alternative Dispute Resolution (ADR)

GOAL

- To enhance the demand and supply of ADR in Sindh through increased support of stakeholders in justice sector and increasing its usage within the community through trained mediators and ADR practitioners to quality services and community satisfaction.

OBJECTIVES

- buy in and promotion of ADR with key stakeholders.
- educate the public on the use of, and how to access ADR mechanisms.
- ensure professionals provide improved ADR services.
- operate within the framework of ADR.

OUTREACH

- Karachi
- Hyderabad
- Sanghar
- Dadu
- Larkana
- Benazirabad
- Khairpur
- Sukkur

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with the accused party completely paying off the price of occupied land to the complainant through installments. Both parties to the case are satisfied and highly appreciative of the intervention by the Legal Aid Society for providing a convenient, cost-effective, and efficient means to case resolution.

It is important to note that the civil courts take an extensive amount of time for the resolution of such cases, which could range from 2 to 6 years, thereby resulting in severe consequences for economically vulnerable parties and might lead to personal rivalries amongst the parties resulting into boundless acts of violence – which is often witnessed involving a dispute over land/assets of high financial value.

It is also pertinent to note that this case was referred to the LAS ADR by a 1st class civil court judge himself, which itself is a moment of pride for LAS and a validation of our idea that judges themselves will promote ADR when they realize that this mechanism helps reduce their workload and provides a legally recognized solution to complex problems.

This is a unique example of dispute resolution resulting in a peaceful, satisfactory, and legally recognized settlement within such a short time.



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