



NEW HORIZONS IN LAW

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Law

Is it a profession?

Is it an employment?

Is it a business?





Lawyer's Profession

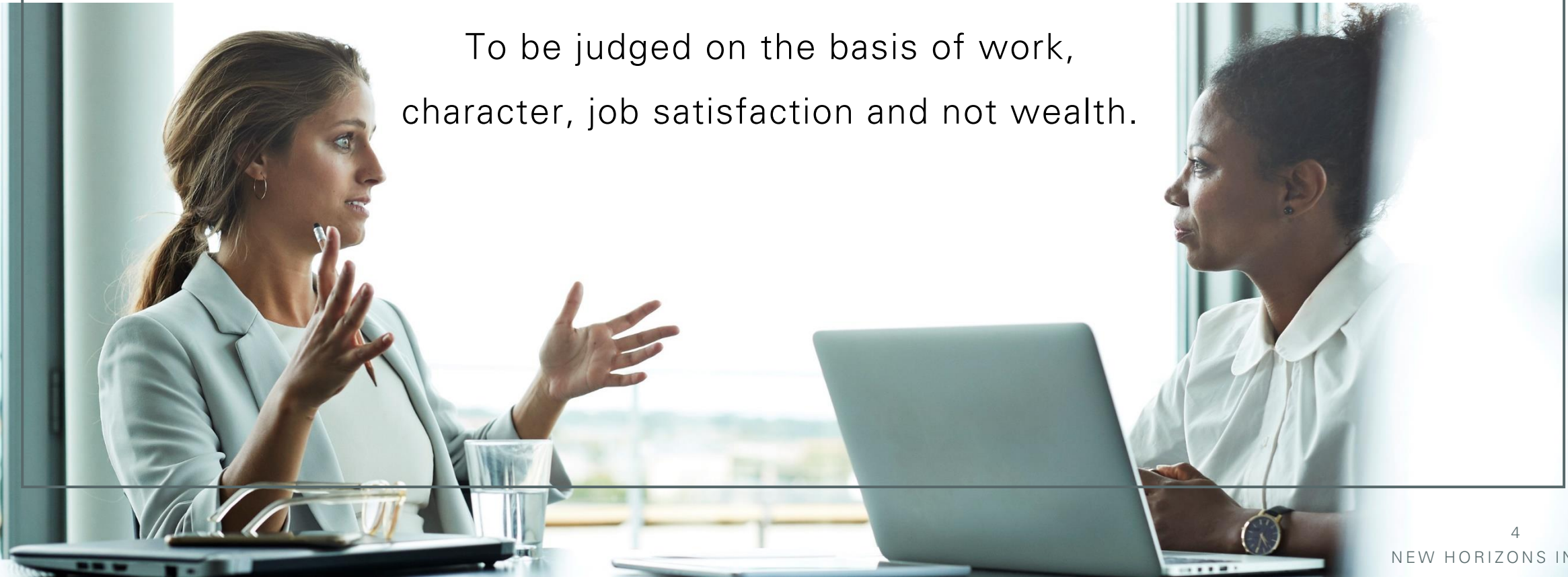
Business: Money / Wealth

Employment: Service

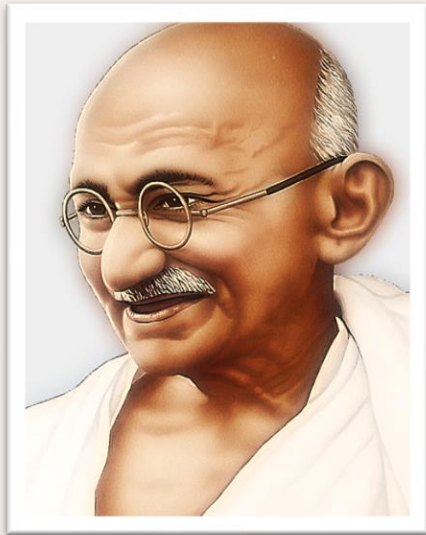
Profession: Work Character and Image
Job satisfaction

Background

Profession and not a business or service.
To be judged on the basis of work,
character, job satisfaction and not wealth.

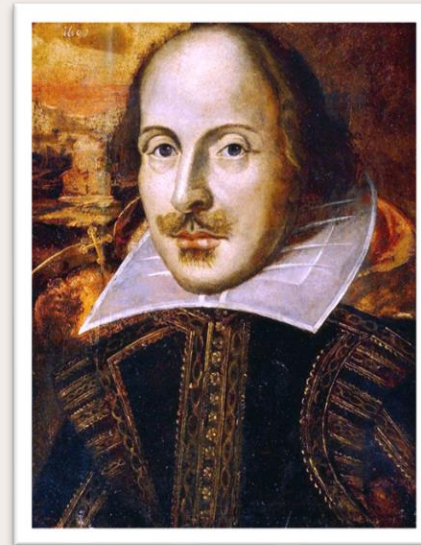


Old Sayings



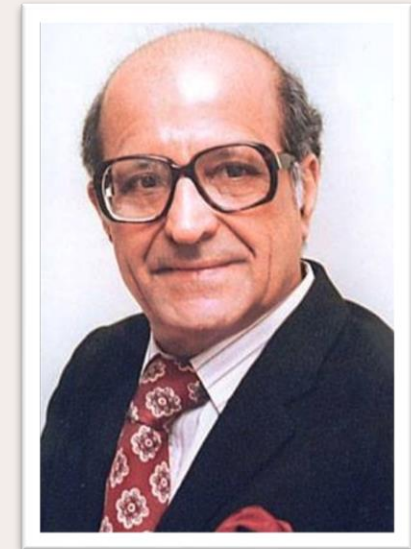
“It is not the end alone but the means, which are as important as the end”

Mahatma Gandhi



“Kill all the Lawyers”

Shakespeare



“Perhaps more uncharitable things have been said about the lawyers than about any other professionals of even half the lawyer's utility to society”

Palkhiwala

Know Why

Freedom Movement
Story of Black Coat and Gown



Post Independence

- Till Emergency (1975) :Lawyers and Judges conservative and pro-government.
- After Emergency: Lawyers and Judges pro-active giving rise to judicial activism through public interest litigation.
 - ✓ Challenge to Executive and Legislative.
 - ✓ Innovativeness and Creativity of Lawyers and Judges.
 - ✓ Opportunity to do social service



Requirements

- ✓ Proficiency in Marathi & English.
- ✓ Use of Technology
- ✓ Time Management.
- ✓ Hard Work (First Bed of Roses then Roses but no bed!)
- ✓ Preparation Equivalent to the Senior
- ✓ Role of Seniors
- ✓ Disclose the Weaknesses and Strengths of the Case
- ✓ Master of Facts
- ✓ Ethics
- ✓ Specialization.
- ✓ Versatile Personality
- ✓ Common Sense and Alertness.
- ✓ Continuous Update

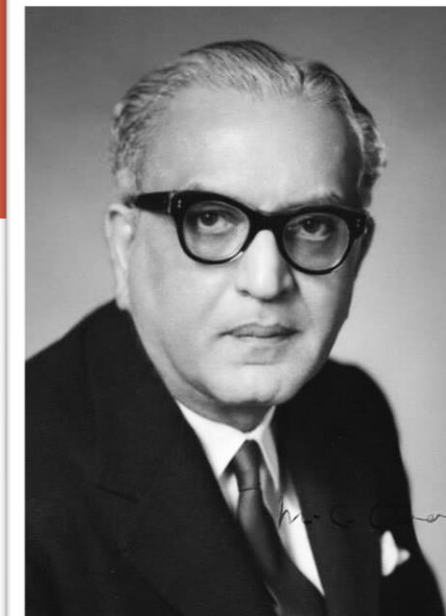


**ROSES
IN
DECEMBER**
AN AUTOBIOGRAPHY
M. C. CHAGLA



“Opportunity comes to every one and when the opportunity comes nobody should be found wanting”

J. Chagala
Roses in December



New Horizons in Law

Litigation

- Civil, Criminal, Labour/Industrial/ Service
- Co-operative
- Consumer
- Debt Recovery Tribunal
- Green Tribunal
- School Tribunal
- University Tribunal
- Revenue Department
- Family Court



New Horizons in Law

- Cast Scrutiny Committee
- Land Acquisition Proceeding
- Local Govt Authorities like Municipalities Grampanchayat, Zilla Parishad etc
- Election Officers
- Commercial Court
- Juvenile Court
- Motor Vehicle Claims
- Legal Aid – Pre Litigation, Lok Nayalaya
- Charity Commissioner



New Horizons in Law

Non Litigation

Conveyancing, Intellectual Property Rights, Revenue Department, Police Department, Legal Opinions, Search and title, Due Diligence, Legal audit and compliances, legal research, teaching, consultancy, counseling and advise



Globalization : Corporate Law

Legal Process Outsourcing : LPO

- Law Firms
- Companies
- Government, Semi- Government, Public Sector, Universities etc



Cyber Laws and Cyber Crimes



Cyber audit and compliances of companies
Cyber crimes
Forensic Science

Alternative Dispute Resolution (ADR)

Arbitration ; Arbitration and Conciliation Act, 1996 (Amendments 2016) – To act as Arbitrator, Lawyer for a party in arbitration, Lawyer in Sec. 9 Petition, Lawyer in Sec. 34 application, drafting arbitration agreement and advising clients.

Mediation and Conciliation (Court annexed and out of court)



Alternative Dispute Resolution (ADR)



- A dispute is a problem to be solved, together, rather than a combat to be won.
- 21st Century India needs effective and multi door Dispute Resolution System.

Alternatives to litigation :

- Arbitration
- Mediation
- Conciliation
- Lok-Adalat
- Judicial Settlement

Client's Expectations


- ✓ Reliefs
- ✓ Speed
- ✓ Solution
- ✓ Fair Hearing
- ✓ Peace of Mind
- ✓ Tell their story in detail
- ✓ Cost
- ✓ Discovery
- ✓ Participation
- ✓ Execution



"Two roads diverged in a wood, and I - I took
the one less travelled by, and that has made all
the difference."

Robert Frost



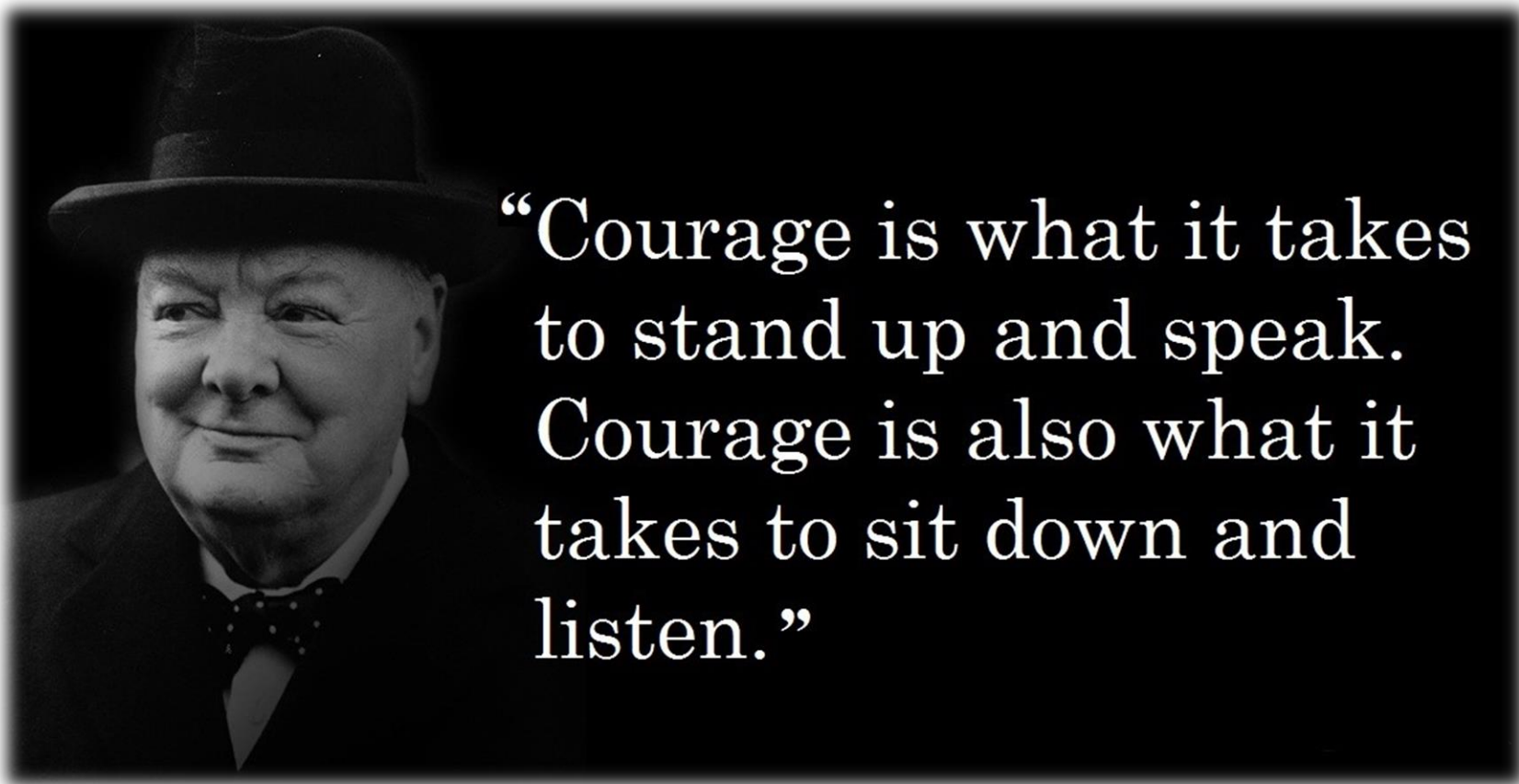


Lord Denning : Packer Vs Packer
Denning L J in Packer v Packer
[1954] P 15 at 22

“What is the argument on the other side? Only this, that no case has been found in which it has been done before. That argument does not appeal to me in the least. If we never do anything which has not been done before, we shall never get anywhere. The law will stand still whilst the rest of the world goes on: and that will be bad for both,”



A New Beginning



“Courage is what it takes to stand up and speak. Courage is also what it takes to sit down and listen.”



Thank you

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