

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.88 of 2014

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Manager (L& Hpf) L.I.C. of India

.... Petitioner/s

Versus

The State of Bihar & Ors

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No.1

For the Respondent/s : None

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO
ORAL ORDER

2 04-12-2015

Heard Mr.Sanjay Kumar No.1, learned counsel for the petitioner.

This application filed by the petitioner is for quashing the Award dated 27.07.2013 passed by Mega Lok Adalat, Patna, in Complaint Case No. 133 of 2011 filed before the District Forum, Patna, whereby the petitioner was directed to pay Rs. 2 lacs after verifying the age and identify of beneficiary.

Learned counsel for the petitioner submits that, in fact, the insurance was only to the extent of Rs. 1 lac but the Presiding Officer of Mega Lok Adalat, Patna over head the amount and in place of Rs. 1 lac it has wrongly been mentioned as Rs. 2 lacs. Secondly, learned counsel for the petitioner submits that conditional award has been passed and according to him no conditional award can be passed by Mega Lok Adalat .

Perused the Award, which is Annexure -2.

It is not denied by the petitioner that the petitioner was not a party to the said case no.133 of 2011, which was before Mega Lok Adalat for disposal. It is not disputed by the petitioner that the petitioner was not represented through the authorized officer before the Mega Lok Adalat. The only grievance is that in place of Rs. 1 lac it has wrongly been mentioned as Rs. 2 lacs. So far this grievance is concerned, this is a pure question of fact and merely on the submission that cannot be interfered with. So far second submission that conditional award has been passed is concerned, as mentioned in the award it has only mentioned that on identifying the petitioner and verifying the age, the amount be paid. In my opinion, this is not a conditional award. While passing the award, the Presiding Officer was cautious so that the amount may not be paid to a person not entitled.

In view of the above facts and circumstances, the Award cannot be interfered with in exercise of writ jurisdiction under Article 227 of the Constitution of India. This writ application is dismissed.

(Mungeshwar Sahoo, J)

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