

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.3329 of 2015

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Ram Ashish Rai, son of Late Ram Anurag Rai, resident of village-Changar, P.S. -
Kankarbagh, Town and District- Patna

.... Petitioner

Versus

1. The State of Bihar, through the Principal Secretary, Department of Finance,
Government of Bihar, Patna
2. The Principal Secretary, Department of Health and Family Welfare, Government
of Bihar, Patna
3. The Director Indigenous Medicines, Government of Bihar, Patna
4. The Chairman, Bihar State Homeopathic Board, Kadam Kuan, Patna
5. The Registrar, Bihar State Homeopathic Board, Kadam Kuan, Patna

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Subhdeep Das, Advocate

For the Respondent/s : Mr. Jai Prabhat Kishore, AC to SC-13

For the Respondent Nos.4& 5: Mr. Pravin Kumar Sinha, Advocate

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 13-12-2016

In the present writ petition, the petitioner seeks a
direction to be issued to the respondents to execute the award dated
23.11.2003 passed by the Lok Adalat held at High Court, Patna in
C.W.J.C. No. 350 of 2011.

2. The grievance of the petitioner is that the award
passed by the Lok Adalat is not being honoured by the respondents.



In this regard, the petitioner had also filed a contempt petition before this Court vide M.J.C. No. 1443 of 2014 for punishing the respondents for willful disobedience of the order under the award passed by the Lok Adalat but the same was also dismissed as withdrawn vide order dated 28.01.2015.

3. In the opinion of this Court, the writ application is thoroughly misconceived as every award of the Lok Adalat is deemed to be a decree of a civil court under Section 21 of the Legal Services Authority Act. The jurisdiction of this Court under Article 226 of the Constitution of India cannot be invoked for the purpose of execution of a decree of a civil court.

4. In that view of the matter, the writ application, being devoid of any merit, is dismissed.

(Ashwani Kumar Singh, J.)

Sanjeet/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	17.12.2016
Transmission Date	NA

