

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.9614 of 2014

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Hasin Manzar Qadri S/o Late Dr. Ekram Ahmad Qadri Resident of Village Bandpura, P.O. Bandpura, P.S. Katra, District Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna.
2. The Secretary, Law Department, Government of Bihar, Patna.
3. The Secretary Permanent Lok Adalat, Muzaffarpur, District Muzaffarpur.
4. The District Magistrate, Muzaffarpur, District Muzaffarpur.
5. Shola Jabeen w/o Md. Zubair Resident of Village Bandpura, P.O. Bandpura, P.S. Katra, District Muzaffarpur.
6. Suraiya Jamil @ Tasnim w/o Late Dr. Ekram Ahmad Qadri Resident of Village Bandpura, P.O. Bandpura, P.S. Katra, District Muzaffarpur.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Md. Anis Akhtar, Adv.

For the Respondent/s : Mr. GA3- V.K.SINGH

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CORAM: HONOURABLE MR. JUSTICE V. NATH

ORAL JUDGMENT

Date: 12-05-2016

Heard Mr. Anis Akhtar, learned counsel for the petitioner.

The present application has been filed against the award said to have been passed by the Permanent Lok Adalat, Muzaffarpur.

The petitioner has challenged the aforesaid award on the ground that the said award has been passed on the basis of compromise in a proceeding between the respondent nos. 5 and 6 but with regard to the property in which the petitioner has also got a

share.

Mr. Anis Akhtar, learned counsel for the petitioner has contended that the manner in which the proceeding has been conducted by the Lok Adalat and the award has been passed cannot be approved in law. It has also been submitted that if the present award is allowed to stand it would cause prejudice to the right, title and interest of the petitioner in the property subject matter of award.

After considering the submissions and the materials on record, it is manifest that the present petitioner was not a party in the proceeding before the Lok Adalat between the respondent nos. 5 and 6. The said proceeding was disposed of by passing the award in question on the basis of compromise between the respondent nos. 5 and 6. As such, when the present petitioner was not a party to the said proceeding, he cannot be said to be a person aggrieved in any manner with the said award as the same is not binding upon the right, title and interest of the petitioner in the property in question and he has got his remedy for redressal of his grievance in accordance with law as and when the occasion arises.

This Court therefore, does not find any merit in this application, which is accordingly, dismissed.

However, the order of dismissal of this application will not stand in the way of the petitioner if he seeks remedy in accordance

with law for enforcing of his right, title and interest in the property in question.

Devendra/-

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(V. Nath, J)

