

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.14683 of 2014

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1. Prabha Devi @ Prema Devi wife of Sri Ram Dayal Singh resident of village - Rupaitha, P.O. and P.S. - Kargahar, District - Rohtas (Sasaram).
 2. Ram Daso Devi wife of Sri Munni Singh resident of Village - Khairahi (Kala), P.O. - Basdiha, P.S. - Dinara, District - Rohtas (Sasaram).
 3. Bipendra Singh.
 4. Shashi Mohan Singh
 5. Jay Bhagwan Singh All nos, 3 to 5 sons of Late Asharfi Kunwar (wife of Late Sita Ram Singh) Resident of Village - Chitaon, P.S. - Dinara, District - Rohtas (Sasaram).
 6. Bindhyachal Singh Son of Late Reshma Devi (Wife of Sri Bishwanath Singh resident of Village Bharkhara, P.O. - Kakaria, P.S. - Dhansol, District - Buxar.

.... Petitioner/s

Versus

1. The State of Bihar through the Registrar, Civil Court, Sasaram (Rohtas).
2. The Law Secretary through State of Bihar.
3. Rajendra Prasad Singh son of Late Ram Lochan Rai
4. Tej Pratap Singh
5. Munna Singh Both sons of Sri Rajendra Prasad Singh
6. Surya Narayan Singh son of Late Ram Lochan Singh
7. Ajay Prasad Singh
8. Sanjay Kumar Singh Both sons of Sri Surya Narayan Singh All No. 2 to 7 residents of Village - Ghasa, P.O. - Doiya, P.S. - Dinara, District - Rohtas(Sasaram).

.... Respondent/s

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Appearance :

For the Petitioner/s : MR. YOGENDRA KUMAR, ADV
For the Respondent/s : Mr. SC-15 AJEET PRATAP SINGH

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CORAM: HONOURABLE MR. JUSTICE V. NATH

ORAL JUDGMENT

Date: 20-10-2016



Heard learned counsel for the petitioners.

The legal sustainability of the award passed by the lok Adalat on the basis of the compromise between the respondents have been questioned by the petitioners by filing present application under Article 227 of the Constitution of India.

The learned counsel for the petitioners has fairly accepted that the petitioners were not party in the proceeding before lok Adalat and they were also not made party in the compromise petition or award passed thereon. It has been further submitted that the petitioners have got their own title and possession over the suit land. A prayer therefore, has been made for quashing the award passed by the lok adalat on the basis of compromise between the respondents.

After considering the submissions and the perusal of the materials on record, it is evident that the petitioners claim their own title and possession over the property subject matter of the award. Admittedly the petitioners were not party in the proceeding before the lok Adalat and they had not filed any compromise petition there. It is obvious, therefore, that the impugned award or the compromise between the respondents, would not bind the petitioners so far as their interest in the property subject matter of the award is concerned. This court is thus not inclined to invoke its jurisdiction



under Article 227 of the Constitution of India as the petitioners have failed to persuade this court that their right title and interest in their own land is prejudiced in any manner.

The application is, accordingly, dismissed.

However, the petitioners shall have the liberty to protect/establish their right, title and interest in the property, as claimed, in accordance with law, if such occasion arises.

(V. Nath, J)

Ranjan/-

FR/NAFR	NAFR
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