

**THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE Dr. JUSTICE B. SIVA SANKARA RAO**

WRIT PETITION No.41578 of 2015

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ORDER: (per Hon'ble Sri Justice Sanjay Kumar)

The petitioners lay a challenge to the Award dated 30.06.2011 passed by the Lok Adalat Bench at Nellore in Pre-Litigation Case No.198 of 2011 on the file of the District Legal Services Authority, Nellore. The said Award bear the number 349 of 2011.

Admittedly, the petitioners were not parties to the pre-litigation case. As to whether they claim rights independently against the second respondent – landlady or otherwise is not an issue which figured for consideration before the Lok Adalat and therefore does not fall for consideration before us in this writ petition. That apart, it is stated that a claim petition was filed by one other tenant, by name Abdul Kadar, in the execution proceedings initiated pursuant to the subject Award and against the dismissal of the said claim petition, a first appeal has been filed and is pending consideration before this Court. That being so, we are of the opinion that the petitioners who were not even parties to the pre-litigation case before the Lok Adalat have no locus to challenge the Award passed therein, which did not even deal with their rights, if any.

The writ petition is accordingly closed leaving all issues open for consideration in the first appeal filed by Abdul Kadar as we have not ventured into the merits of the matter. We also make it clear that it would be open to the petitioners to work out their remedies independently in accordance with law notwithstanding the closure of this writ petition.

Pending miscellaneous petitions, if any, shall also stand closed.
No order as to costs.

SANJAY KUMAR, J

Dr. B. SIVA SANKARA RAO, J

Date:08.06.2016
GJ