

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Revision No.47 of 2016

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1. Sandeep Singh
2. Meena Singh
3. Kanak Singh All 1 to 3 are sons of Late Jitendra R/o Village- Ratanchak, P.S.-
Hathuwa, District- Gopalganj.

.... Petitioners

Versus

1. Satendra Kumar Shah Son of Late Umraw Shahi R/o Mohalla- Jamnalia, Ward
No.18, P.S. and District- Gopalganj.
2. Jitendra Kumar Singh son of Jagdish Singh R/o Village- Sarva Kaparpura, P.S.-
Mirganj, District- Gopalganj.
3. Brij Kishore Rai son of Late Mahadeo Rai R/o Village- Semrav, P.S.- Mirganj,
District- Gopalganj.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Yogendra Prasad Sinha, Adv.
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE V. NATH

ORAL JUDGMENT

Date: 20-03-2017

Heard Mr.Yogendra Prasad Sinha, learned counsel
appearing for the petitioners.

By the impugned order, the executing court while
allowing the objection on behalf of the opposite party has held that the
decree under execution was entirely illegal and not fit for execution
and accordingly has dropped the proceeding for execution.

Mr.Sinha, learned counsel appearing on behalf of
the petitioners has not disputed the position that the decree under
execution cannot be sustained in the eye of law. It has also been
submitted that the award passed by the Lok Adalat is executable under



the provisions of Section 22 of the Legal Services Authorities Act.

In view of the aforesaid submission and after considering the facts and circumstances, this Court does not find that the learned court below has committed error of jurisdiction or material irregularity while passing the impugned order.

The revision application is accordingly dismissed.

Let a copy of the final decree as annexed with this revision application as Annexure-3, be sent to the Judicial Academy for needful.

(V. Nath, J)

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