

THE HON'BLE SRI JUSTICE V. RAMASUBRAMANIAN

C.R.P.No.4909 of 2016

ORDER:

The petitioner has come up with the present revision petition challenging the grant of stay of all further proceedings in an execution laid pursuant to a Lok Adalat Award.

2. Heard Mr. Sai Gangadhar Chamarty, learned counsel for the petitioner and Mr. K.S. Murthy learned counsel for the respondents.

3. The respondents have filed a suit for declaration that the Lok Adalat Award passed in O.S.No.209 of 2008 was null and void and was obtained fraudulently. After filing the suit they also filed an application in I.A.No.290 of 2016 for a stay of execution in O.S.No.209 of 2008. It was allowed by the trial court, since larger issues are involved.

4. The petitioner has come up with this revision challenging grant of stay contending that pursuant to the Lok Adalat Award, he has deposited a huge amount of Rs.61.00 lakhs. Therefore, the petitioner has aggrieved by the grant of stay.

5. But once a suit is filed on the ground that a Lok Adalat Award was obtained by playing fraud, the grant of stay is a necessary consequence. The petitioner cannot object to the same. If really the Award had been obtained by fraud, it should not be allowed to be executed. Therefore, the trial Court was right in granting stay.

6. However, in matters of this nature such suits are not to be allowed to be pending for a long time. Therefore the Civil Revision Petition is disposed of directing the trial Court to dispose of the suit within a period of four months from the date of receipt of a copy of this order.

7. As a sequel, pending miscellaneous petitions, if any, shall stand closed. There shall be no order as to costs.

JUSTICE V. RAMASUBRAMANIAN

10th February, 2017
Js.



THE HON'BLE SRI JUSTICE V. RAMASUBRAMANIAN

C.R.P.No.4909 of 2016



Date: 10-02-2017

Js.