

* IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH

* HON'BLE SRI JUSTICE V.RAMASUBRAMANIAN
AND

* HON'BLE SRI JUSTICE M. GANGA RAO

+ W.P.NO.43181 of 2017

% Date: 19-12-2017

Between:

Shaheen Begum, W/o. Late Mohd Jahangeer,
R/o. H.No.4-22, Alipur, Zaheerabad,
Medak District

.... Petitioner

And

1. The Presiding Officer, Lok Adalat, Sangareddy, Medak District.
2. Fatima Bee (died)
3. Shahzadi Begum W/o. Late Mohd Jahangeer, R/o. H.No.5087,
BHEL, MIG, Nallagandla Post, Serilingampally Mandal, R.R. District.
4. Mohd Amjad S/o. Late Shaik Ahmed, R/o. H.No.9-32,
Ramchandrapuram, Hyderabad.
5. Mohd. Dastagir, S/o. Late Shaik Ahmed, R/o. H.No.1974, BHEL,
MIG, Nallagandla Post, Serilingampally Mandal, R.R. District.

... Respondents

! Counsel for the Petitioner : Mr. B. Mohan

^ Counsel for Respondents :

< GI ST:

> HEAD NOTE:

? Cases referred

HON'BLE SRI JUSTICE V. RAMASUBRAMANIAN
AND
HON'BLE SRI JUSTICE M. GANGA RAO

WRIT PETITION No.43181 of 2017

ORDER: (Per VRS,J)

The petitioner has come up with the above writ petition challenging a Lok Adalat Award.

2. Heard Mr. B. Mohan, learned counsel for the petitioner.

3. The Lok Adalat Award was passed on 04.10.2017 in a suit for partition filed by the petitioner. In the agreement reached between the parties, it was agreed that the petitioner will be paid Rs.40,00,000/- on 20.10.2017.

4. The grievance of the petitioner is that the amount, as agreed, has not been paid. If this is the only grievance, it is not a case of fraud. It is a case of non-fulfillment of the obligations created under the Award.

5. For enforcing an Award, there are different remedies. In cases where the Award is not vitiated, but the grievance is that the commitment under the Award is not fulfilled, the petitioner should only seek enforcement of the Award in the manner known to law and cannot seek setting aside the Award. Hence the writ petition is dismissed leaving it open to the petitioner to work out her remedies for enforcement of the obligations on the part of the respondents under the Award.

6. As a sequel, miscellaneous petitions pending in this writ petition, if any, shall stand closed. There shall be no order as to costs.

V. RAMASUBRAMANIAN, J.

M. GANGA RAO, J.

19th December, 2017
Js.

HON'BLE SRI JUSTICE V. RAMASUBRAMANIAN
AND
HON'BLE SRI JUSTICE M. GANGA RAO

WRIT PETITION No.43181 of 2017



19th December, 2017

Js.