

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.**

CR No.1506 of 2017 (O&M).

Date of Decision: 02.03.2017.

Mahabir (now deceased) through his LRs Sudarshan Kumar and others

....Petitioners.

VERSUS

State of Haryana and others

....Respondents.

CORAM: HON'BLE MRS. JUSTICE SNEH PRASHAR.

Present: Mr. Ravinder Rana, Advocate for the petitioners.

SNEH PRASHAR, J.

CM-4635-CII-2017

Allowed, as prayed for.

CR-1506-2017

The instant revision petition is directed against the order dated 11.02.2017 passed by Presiding Officer-cum-Additional District Judge, National Lok Adalat, Jhajjar, vide which the share of the petitioners and of respondents No.4 to 6, all legal heirs of deceased Mahabir Singh son of Gugan, in whose name the amount of compensation awarded in a land acquisition case had been deposited by respondents No.1 to 3, was decided.

The submissions made Mr. Ravinder Rana, learned counsel representing the petitioners have been heard.

Learned counsel for the petitioners argued that there is a registered will executed by deceased Mahabir Singh during his lifetime by virtue of which he bequeathed all his movable and immovable properties in favour of his sons-petitioners. Learned Presiding Officer of the National Lok Adalat did not consider the will produced by the petitioners.

As is apparent from the impugned order, it was passed during National Lok Adalat. As per Section 21(2) of the Legal Services Authority Act, 1987, every award/order passed by Lok Adalat shall be final and binding on all the parties to the dispute and no appeal/revision shall lie to any court against it. Otherwise also, it is the case of the petitioners themselves that a suit for declaration has been filed by Smt. Santosh challenging the will which is pending before Civil Judge (Junior Division), Bahadurgarh. The validity and legality of the will is to be decided in that suit and it was not for the Presiding Officer, National Lok Adalat to decide the same during execution proceedings. Moreso, the order does not indicate that any such issue was raised before him. The matter regarding withdrawal of the compensation deposited in the name of deceased Mahabir Singh was decided determining the shares of the legal heirs as per natural succession and as per the affidavits given by them.

Thus, there being no illegality or perversity warranting interference in the impugned order, the petition is hereby dismissed.

(SNEH PRASHAR)
JUDGE

02.03.2017.
jitender sharma

Whether speaking/ reasoned : **Yes/ No**

Whether Reportable : **Yes/ No**