

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

C.W.P.No.20489 of 2015 (O&M)

Date of Decision: March 22, 2017

Buta Singh

...Petitioner

Versus

Harnek Singh & others

...Respondents

CORAM: HON'BLE MR.JUSTICE AMIT RAWAL, JUDGE

Present: Mr.K.S.Chahal, Advocate,
for the petitioner.

Mr.Yatinder Sharma, Addl.A.G.Punjab,
for the State.

AMIT RAWAL, J. (Oral)

The grievance in the present writ petition is that the Lok Adalat could not have passed the judgment and decree dated 21.1.2006 (Annexure P-21) as the compromise was not effected between the parties.

Against the aforementioned order, writ petition has been filed on the premise that the Civil Judge has exercised the power of the Lok Adalat. Be that as it may, even otherwise if at all the order has been passed by the Civil Judge, though exercising the power of Lok Adalat, the party has a right to move an application seeking re-calling of the order as no separate suit or appeal lies under Order 23 Rule 3-A CPC, but not in the manner and mode as indicated above. In case the petitioner moves an application before the same Court, the Court shall take into consideration all the pleas taken in the present writ petition, much less recalling of the order and pass a suitable order in accordance with law.

With the aforementioned observations, the present writ petition
is disposed of.

March 22, 2017
ramesh

(AMIT RAWAL)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable:

Yes/No