

THE HON'BLE SRI JUSTICE SURESH KUMAR KAIT
&
THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.4716 of 2018

ORDER: (per Hon'ble Sri Justice Suresh Kumar Kait)

Vide the present petition, petitioners have challenged Award dated 28.11.2005 passed by the Lok Adalat at District Level in O.S.No.1889 of 2005.

Learned counsel appearing on behalf of petitioners submits that as per Section 20 of the Legal Services Authority Act, 1987, petitioners herein were not put on notice and they were not parties to the Award, therefore, the said Award is illegal and deserves to be set aside.

We note, in para-2 of the Award, it is specifically stated that plaintiff and the respondents (the petitioners herein) were present. At the intervention of the Lok Adalat, both the parties entered into amicable settlement and agreed for compromise. Accordingly, the Lok Adalat passed Award in terms of the compromise entered by both the parties. In the material papers filed along with the present petition, compromise petition entered between the parties is filed at page 18, wherein the signatures of the petitioners herein find place. In addition to the above, Award was passed on 28.11.2005 and the petitioners have challenged the same in the year 2018. First of all, we do not find any illegality and perversity in the Award passed by the Lok Adalat and secondly, the petition is liable to be dismissed for delay and laches.

Writ petition is accordingly dismissed. No order as to costs.

Pending miscellaneous applications, if any, shall stand closed in consequence.

SURESH KUMAR KAIT,J

ABHINAND KUMAR SHAVILI ,J

Date: 15.02.2018
Dsr

