

HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY
AND
HON'BLE SRI JUSTICE GUDISEVA SHYAM PRASAD

WRIT PETITION No.18847 of 2018

Date: 05.07.2018

Between :

Chintapanti Ramarao

... Petitioner

And

The Lok Adalat at Tiruvuru Constituted by
Mandal Legal Services Committee,
Tiruvuru, Krishna District and others.

... Respondents

COUNSEL FOR PETITIONER : Smt. V. Baby Rani

COUNSEL FOR RESPONDENTS : Mr. J. Anil Kumar, SC for R1

THE COURT MADE THE FOLLOWING:

ORDER: (per Hon'ble Sri Justice C.V. Nagarjuna Reddy)

This writ petition is filed for issue of *Mandamus* to set aside the Award dated 13.08.2016 in Lok Adalat Case No.276 of 2016 (O.S.No.47 of 2016) on the file of the Principal Junior Civil Judge, Tiruvuru, Krishna District, as null and void.

We have heard Smt. V. Baby Rani, learned counsel for the petitioner, as well as Sri J. Anil Kumar, learned Standing Counsel for respondent No.1, and perused the record.

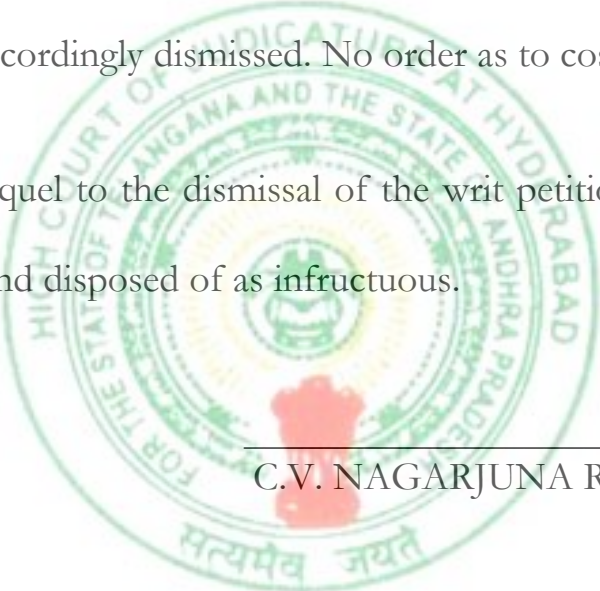
A perusal of the averments of the petitioner shows that respondent Nos.2 to 5 with a fraudulent intention mis-represented to the petitioner taking advantage of the latter's illiteracy and ignorance and in collusion with their Advocate, they have obtained the petitioner's thumb impression and secured the impugned Award dated 13.08.2016.

It is worthy to note that the Lok Adalat Award was passed as far back as 2016. No explanation has been offered by the petitioner as to why he remained quiet for nearly 2 years without challenging the Lok Adalat Award, if it was obtained by the private respondents by fraudulent means. In the impugned Award, it is stated that the parties to O.S.No.47 of 2016 agreed before the Lok Adalat for a compromise after negotiations and discussions. It is not the pleaded

case of the petitioner that he was not present when the Lok Adalat Award was passed. The conduct of the petitioner would clearly show that though he was a consenting party to the compromise and the Lok Adalat Award, he filed the present writ petition evidently as an after-thought almost 2 years after passing of the Award. We are of the opinion that this writ petition is nothing but a piece of speculative litigation, which cannot be entertained.

For the afore-mentioned reasons, the writ petition fails and the same is accordingly dismissed. No order as to costs.

As a sequel to the dismissal of the writ petition, I.A.No.1 of 2018 shall stand disposed of as infructuous.



C.V. NAGARJUNA REDDY, J

GUDISEVA SHYAM PRASAD, J

05.07.2018.

Msr

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Msr