

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

W.P.No.4517 of 2005

Date: 16.08.2018

Between:

Land Acquisition Officer
(Mandal Revenue Officer),
Mattampally, Nalgonda district

...

Petitioner

And

Lok Adalath,
Mandal Legal Services Authority,
Miryalaguda,
Nalgonda district
and another

...

Respondents



Counsel for the Petitioner :

Government Pleader for
Land Acquisition(TS)

Counsel for the Respondents:

Mr. L.Prabhakar Reddy

The Court made the following:

Order: (Per the Hon'ble Sri Justice C.V.Nagarjuna Reddy)

This writ petition is filed seeking issue of certiorari for quashing Award dated 29.06.2002 of respondent No.1 in Legal Service Authority case No.14 of 2001.

2. Learned Government Pleader representing the petitioner submitted that though the claim of respondent No.2 for reference of the dispute relating to quantum of compensation under Section 18 of the Land Acquisition Act, 1984 was barred by limitation, respondent No.1 has advised the petitioner to make a reference, considering various facts referred to in the Award. The learned Government Pleader further submitted that in the absence of a settlement reached between the parties, respondent No.1 has no jurisdiction to pass the impugned Award.

3. In **STATE OF PUNJAB AND ANOTHER VS. JALOUR SINGH AND OTHERS (Civil Appeal No.522 of 2008 dated 18.01.2008)**, the Supreme Court held that the Lok Adalat does not exercise adjudicatory jurisdiction and that all its Awards shall be based only on a compromise or settlement. Admittedly, the impugned Lok Adalat Award is not passed based on any settlement between the petitioner and respondent No.2. In the absence of such settlement, the impugned Award passed by respondent No.1 is not sustainable and the same is, accordingly, quashed. However, this

order will not preclude the respondent No.2 from availing appropriate legal remedies available to him in law.

4. Subject to the above observation, the writ petition is allowed.

(C.V.Nagarjuna Reddy, J)

(Gudiseva Shyam Prasad,J)

Date: 16th August, 2018

msb



