

[3340]

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
(Special Original Jurisdiction)

TUESDAY, THE THIRTY FIRST DAY OF JANUARY
TWO THOUSAND AND TWENTY THREE

PRESENT

THE HONOURABLE SRI JUSTICE P. NAVEEN RAO
AND
THE HONOURABLE SRI JUSTICE NAGESH BHEEMAPAKA

WRIT PETITION NO: 46532 OF 2022

Between:

Sanjay Kumar Jaiswal, son of Surya Pratap, aged about 55 years, occ: Business,
r/o 4-2-400 to 409, Sultan Bazar, Hyderabad.

...PETITIONER

AND

1. The Presiding Officer, Special Lok Adalat Bench, City Civil Court Legal Services Authority, Hyderabad.
2. Suresh Kumar jaiswal, s/o Suryapratap, aged about 54 years, Occ: Retd. Govt. Employee, r/o 3-4-802/208, Mahati Niketan Apartments, Barkatpura, Hyderabad.
3. Kushal Jaiswal, s/o Suresh Kumar Jaiswal, aged about 21 years, Occ: Student r/o Flat No. 208, 3-4-802, Mahatiniketan Apartments, Barkatpura, Hyderabad.
4. Kushal Constructions, rep. by its Proprietrix, Smt. Kanchan Lata w/o Sri Suresh Kumar, aged about 46 years, Household r/o Flat No. 208, H.No. 3-4-802, Mahati Niketan Apartments, Barkatpura, Hyderabad.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a Writ or Writs more appropriately a Writ of Mandamus declaring:

- i) the Award in LAC No.443/2012 in O.S.No.169 of 2010 passed by the Respondent No.1 dated 18/8/2012 on the basis of the compromise and decreeing the suit in terms of compromise and the consequent decree therein is a result of fraud and misrepresentation, as null and void.
- ii) the Award in LAC No. 458/2012 in O.S.No.669 of 2010 passed by the Respondent No.1 dated 25/8/2012 on the basis of the compromise and dismissing the suit in terms of compromise is a result of fraud and misrepresentation, as null and void.

- iii) the Award in O.S.No.2813 of 2011 passed by the Respondent No. 1 dated 25/8/2012 on the basis of the compromise and decreeing the suit in terms of compromise is a result of fraud and misrepresentation, as null and void and

IA NO: 1 OF 2022

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to suspend the operation of the Awards in LAC No. 443/2012 in O.S.No.169 of 2010 passed by the Respondent No.1, L.A.C. No. 458 of 2012 in O.S.No.689 of 2010 passed by the Respondent No.1 and the Award in O.S. No. 2813 of 2011 passed by the Respondent No. 1, pending disposal of the Writ Petition.

Counsel for the Petitioner: SRI. AHMED KHAN

Counsel for the Respondent No.1: SRI J. ANIL KUMAR (SC FOR TSHC)

Counsel for the Respondent Nos.2 to 4: NONE APPEARED

The Court made the following: ORDER

**THE HON'BLE SRI JUSTICE P.NAVEEN RAO
AND
THE HON'BLE SRI JUSTICE NAGESH BHEEMAPAKA**

WRIT PETITION No.46532 OF 2022

ORAL ORDER : *(Per Hon'ble P. Naveen Rao, J)*

Learned counsel for the petitioner, seeks permission of this Court to withdraw the Writ Petition with liberty to file a fresh writ petition challenging the Lok Adalat Award.

Granting the said liberty, the Writ Petition is dismissed as withdrawn.

Pending miscellaneous petitions, if any, shall stand closed.

SD/-P.PADMANABHA REDDY
ASSISTANT REGISTRAR

//TRUE COPY//

GJB
SECTION OFFICER

- To,
1. One CC to SRI. AHMED KHAN Advocate [OPUC]
2. One CC to SRI. J. ANIL KUMAR (SC FOR TSHC) [OPUC]
3. Two CD Copies

CHR
BS

BSR

HIGH COURT

DATED:31/01/2023

ORDER

W.P.No.46532 of 2022



**DISMISSING THE WRIT PETITION
AS WITHDRAWN
WITHOUT COSTS**

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15/02/23
BSR