

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

CR-1398-2018

Date of Decision: September 14, 2023

**DILAWAR SINGH AND ANOTHER**

.....Petitioners

Versus

**UNION OF INDIA AND OTHERS**

.....Respondents

**CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA**

**Present:** Mr. Vishal Aggarwal, Advocate for the petitioners.  
Mr. Anil Chawla, Sr. Panel Counsel for respondents-UOI.

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**HARKESH MANUJA, J. (ORAL)**

By way of present revision petition, challenge has been laid to an order dated 11.02.2017 passed by the Presiding Officer, National Lok Adalat whereby the execution application filed at the instance of petitioners-landowners was disposed of while recording that a compromise has been arrived at between the parties for a sum of Rs.12,44,294/-.

2. While impugning the aforesaid order dated 11.02.2017, learned counsel for the petitioners submits that no such settlement as referred to in the said order was ever arrived at between the parties. He further relies upon an order dated 02.12.2017 passed in CR-6936-2017 to contend that in other connected matters containing similar grievance, the orders were set aside by this Court and the matters were remanded back to the Executing Court to entertain the execution application afresh. Para 9 from the order dated 02.12.2017 passed in CR-8100-2017 is reproduced hereunder:-

“9. Since a compromise is always bilateral and a mutual settlement of the dispute amongst the parties, it is surprising as to how the Presiding Officer of the National Lok Adalat recorded a compromise between the

parties as no statement was made by or on behalf of the petitioners and the statement attributed to the Union of India has been denied by Shri Gulshan Kumar, UDC as having been made. Apparently, the case in hand did not involve any compromise or settlement in view of the fact that neither the petitioners put in appearance nor made any statement compromising the matter nor was any compromise in writing filed by the petitioners or their counsel, nor was any statement made by the petitioners counsel about a compromise having been entered into between the petitioners and the Union of India. In the circumstances, the impugned order could not have been passed by the National Lok Adalat and in fact should not have been passed.”

3. On the other hand, learned counsel representing the respondents is not in a position to controvert the aforesaid factual position.
4. In view thereof, the present revision petition is disposed of in terms of order dated 02.12.2017 passed in CR-8100-2017, consequently, the impugned order dated 11.02.2017 passed by the Executing Court is hereby set aside and the matter is remanded back for deciding the execution application afresh, preferably within a period of six months from the date of receipt of this order.
5. Pending application(s), if any, shall also stand disposed of.

14.09.2023  
tejwinder

(HARKESH MANUJA)  
JUDGE

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|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether Reportable        | Yes/No |