

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

115

2024:PHHC:052381

CR-6819-2016 (O&M)
Date of decision: 19.04.2024

KHAJANI ..Petitioner

Versus

SHAKUNTLA AND ORS ..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Abhimanyu Singh, Advocate
for the petitioner.

Mr. Sunil Chadha, Sr. Advocate
with Ms. Kashish, Advocater
for respondents.

ANIL KSHETARPAL, J(Oral)

1. In this case, the defendant while alleging that a fraud has been played upon her by the plaintiffs, challenges the correctness of the award passed by Lok Adalat-cum-Additional Civil Judge (Senior Judge), Nuh at Mewat on 23.11.2013.

2. The learned counsel representing the petitioner contends that once an award has been passed by the Lok Adalat, the only remedy available to the aggrieved party is to file petition under Section 227 of the Constitution of India. He relies upon the judgment passed in Bar Council of India Vs. Union of India, 2012 (8) SCC 243.

3. This Court has considered the submissions of the learned counsel representing the parties.

4. The petitioner, as already noticed, alleges fraud. She claims that some other lady impersonated her by signing the alleged deed of settlement. This matter would require detailed inquiry after permitting the parties to lead evidence.

5. The judgment relied upon by the learned counsel representing the petitioner is relating to the awards passed by the permanent Lok Adalat. In this case, the award has not been passed by the permanent Lok Adalat. In fact, it is an award passed under Chapter VI of the Legal Services Authority Act, 1987. At that point of time, the suit filed by the respondents was pending.

6. In these circumstances, the remedy for the petitioner is to either file a separate suit or file an application before the same Court.

7. With these observations, the revision petition is disposed of.

8. All the pending miscellaneous applications, if any, are also disposed of.

April 19th, 2024

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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned : *Yes/No*

Whether reportable : *Yes/No*