



CR-4690-2025 (O&M)

-1-

130

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

**CR-4690-2025 (O&M)
Date of Decision: 23.07.2025**

Ashok alias Ashok Kumar

.....Petitioner

Vs.

Sumerti Devi and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE SUDEEPTI SHARMA

Present : Mr. Amit Siwach, Advocate,
for the petitioner.

SUDEEPTI SHARMA J. (ORAL)

1. Challenge in this petition is for setting aside the impugned order dated 16.05.2025 passed by the learned Civil Judge (Junior Division), Gohana, whereby an application under Order 6 Rule 17 CPC read with Order 1 Rule 10 CPC filed by the respondents was allowed.

2. Learned counsel for the petitioner, *inter alia*, contends that learned Civil Judge (Junior Division), Gohana, has wrongly allowed the application under Order 6 Rule 17 CPC read with Order 1 Rule 10 CPC filed by the respondents/plaintiffs.

3. I have heard learned counsel for the petitioner and perused the impugned order dated 16.05.2025 passed by the learned Civil Judge (Junior Division), Gohana.



4. The relevant portion of the said impugned order is reproduced as under:-

“XXX XXX XXX XXX

11. Order 1 Rule 10 of the CPC empowers the court to implead any party which in the opinion of the court is necessary in order to enable the court to effectively and completely adjudicate upon and settle the question involved in the case. The objective behind the said provision is to avoid multiplicity of proceedings. The question that needs to be determined is whether the party to be impleaded is necessary or proper party to the present suit and whether his presence at this stage, of the proceedings is necessary for the just decision of the case.

12. In the present case, it is necessary to implead Naveen and Geeta as defendants as proposed defendant Geeta has right, title and interest in the suit property and proposed defendant Naveen is the person in whose favour the will was executed initially qua the suit property. Their presence in the court will certainly assist the court in deciding the validity of the will as well as the subsequent consent decree and the release deed. Neither an effective decree of partition can be passed in their absence nor the controversy can be settled properly by this court. If the proposed amendment is not allowed and the proposed defendants are not impleaded as party, it will unnecessarily lead to multiplicity of proceeding and the court will not be able to grant complete and effective decision in the case at hand.



As far as the plea of the Ld. Counsel for the respondent is concerned that this court has no jurisdiction to adjudicate upon an award passed by Lok Adalat, it is pertinent to mention here relevant provision under Legal Service Authorities Act, 1987-

22E. Award of Permanent Lok Adalat to be final.— (1) Every award of the Permanent Lok Adalat under this Act made either on merit or in terms of a settlement agreement shall be final and binding on all the parties thereto and on persons claiming under them. (2) Every award of the Permanent Lok Adalat under this Act shall be deemed to be a decree of a civil court. (3) The award made by the Permanent Lok Adalat under this Act shall be by a majority of the persons constituting the Permanent Lok Adalat. (4) Every award made by the Permanent Lok Adalat under this Act shall be final and shall not be called in question in any original suit, application or execution proceeding. (5) The Permanent Lok Adalat may transmit any award made by it to a civil court having local jurisdiction and such civil court shall execute the order as if it were a decree made by that court.

Meaning thereby, only the parties to the award are bound by that award and not the strangers and only the parties cannot file a civil suit challenging its validity. This rule does not applying on strangers to the award. Reliance in this regard can be placed on judgment of



CR-4690-2025 (O&M)

-4-

*Hon'ble Apex Court in **State of Punjab & Anr. Vs. Jalour Singh & Ors., (2008) 2 SCC 660.***

Accordingly, in the interest of justice, the application at hand stands allowed and disposed of."

5. A perusal of the above order shows that the impugned order dated 16.05.2025 passed by the learned Civil Judge (Junior Division), Gohana, is a self speaking order, which does not require any interference by this Court.

6. Consequently, the present petition is **dismissed** and the impugned order dated 16.05.2025 passed by the learned Civil Judge (Junior Division), Gohana, is hereby upheld.

7. Pending application(s), if any, also stand disposed of.

(SUDEEPTI SHARMA)
JUDGE

23.07.2025

Virender

Whether speaking/non-speaking : Yes

Whether reportable : Yes/No