



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

(119)

CR-5684-2025Date of Decision:-**22.08.2025**

HARSH VARDHAN AGRAWAL AND ANOTHER

... Petitioners

Versus

VARUN GUPTA

... Respondent

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CORAM: HON'BLE MR. JUSTICE VIRINDER AGGARWAL

Present:- Mr. Amit Jain, Senior Advocate with
Mr. Chetan Slathia, Advocate,
for the petitioner.

Mr. Ajay Kumar Pipaniya, Advocate,
Mr. Paras Panyani, Advocate,
Ms. Nikita Garg, Advocate, and
Mr. Gaurav Deep Goel, Advocate,
for the respondent.

VIRINDER AGGARWAL, J. (Oral)

1 This revision petition under Article 227 of the Constitution of India is assailing the order dated 11.07.2025 passed by learned Civil Judge, Junior Division, Gurugram and order passed in appeal dated 07.08.2025 by learned District Judge, Gurugram on the grounds that civil suit for specific performance of agreement to sell dated 23.09.2019 was pending and the same was decided vide Award dated 03.12.2020 passed by Presiding Officer, Daily Lok Adalat, Gurugram on the basis of compromise deed dated 07.10.2020. The statements of the parties were recorded before the Court. Petitioners came to know that they have been defrauded by their own Chartered Accountant-respondent, so, they filed an application under Section 151 of CPC, the same was dismissed vide impugned order dated 11.07.2025 and that order was assailed before learned District Judge, Gurugram and their appeal was dismissed vide order dated 07.08.2025 and now, the petitioners are before this Court for assailing both the orders.



2. The petitioners by moving applications under Section 151 CPC wants to get the award passed by Lok Adalat set aside and for that purpose, they have moved application in the Court of learned Civil Judge, whereas, the law in this regard is very clear as Hon'ble Apex Court has held in ***para 12 of State of Punjab and another vs. Jalour Singh and others, AIR 2008 SC 1209***, and subsequently in ***Bhargavi Constructions and Anr. Vs. Kothakapu Muthyam Reddy & Ors., AIR 2017 SC 4428***, where Hon'ble Apex Court held that award of the Lok Adalat can be challenged only in writ jurisdiction. Relevant portion of ***State of Punjab*** (supra) is reproduced as under:-

“12. It is true that where an award is made by Lok Adalat in terms of a settlement arrived at between the parties, (which is duly signed by parties and annexed to the award of the Lok Adalat), it becomes final and binding on the parties to the settlement and becomes executable as if it is a decree of a civil court, and no appeal lies against it to any court. If any party wants to challenge such an award based on settlement, it can be done only by filing a petition under [Article 226](#) and/or [Article 227](#) of the Constitution, that too on very limited grounds. But where no compromise or settlement is signed by the parties and the order of the Lok Adalat does not refer to any settlement, but directs the respondent to either make payment if it agrees to the order, or approach the High Court for disposal of appeal on merits, if it does not agree, is not an award of the Lok Adalat. The question of challenging such an order in a petition under [Article 227](#) does not arise. As already noticed, in such a situation, the High Court ought to have heard and disposed of the appeal on merits.”

3. Relevant portion of ***Bhargavi Constructions and Anr*** (supra) is as under:-

37) So far as the second submission of learned counsel for the respondents is concerned, it also has no merit. In our view, the decision rendered in the case of [State of Punjab](#) (supra) is by the



larger Bench (Three Judge) and is, therefore, binding on us. No efforts were made and rightly to contend that [the said decision](#) needs reconsideration on the issue in question. That apart, when this Court has laid down a particular remedy to follow for challenging the award of Lok Adalat then in our view, the same is required to be followed by the litigant in letter and spirit as provided therein for adjudication of his grievance in the first instance. The reason being that it is a law of the land under [Article 141](#) of the Constitution of India (see - [M. Nagaraj & Ors. Vs. U.O.I. & Ors.](#) 2006 (8) SCC 212). It is then for the writ court to decide as to what orders need to be passed on the facts arising in the case.

4. So, considering the law laid down by Hon'ble Apex Court, the Courts below were right in declining the application. The award cannot be challenged in the Courts below and it can be challenged only by way of petition under Articles 226 and 227 of the Constitution of India as per the judgment of Hon'ble Apex Court in ***State of Punjab*** (supra), so finding no merit in the present revision petition.

5. Accordingly, the present revision petition stands dismissed.

6. Pending miscellaneous application(s), if any, are also disposed of accordingly

22.08.2025
S. Pathania

(VIRINDER AGGARWAL)
JUDGE

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No