

2026:PHHC:012290



S. No.103

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

FAO No.4042 of 2002 (O&M)

Date of Decision:28.01.2026

Basanti

.....Appellant

Vs.

Ravi Prakash and others

.....Respondents

CORAM:- HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR

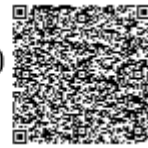
Present:- Mr. Maninder Arora, Advocate and
Mr. Harmeet Singh, Advocate for the appellant.

Yashvir Singh Rathor, J. (Oral)

1. This appeal is directed against Award dated 1.12.2001 passed by Motor Accident Claims Tribunal, Bhiwani in claim petition bearing MACT Case No.115 of 2000 titled "Basanti Vs. Ravi Prakash and others", vide which the matter was settled in Lok Adalat and claimant was paid a sum of Rs.10,000/- as compensation as full and final settlement.

2. As per version of appellant, she never entered into any compromise before the Lok Adalat and on 05.11.2001, she was asked to append thumb impression on some statement made in the Court and she thumb marked the same being illiterate. The compromise is illegal and it has been prayed that matter be remanded to the Tribunal for a decision afresh on merits.

3. However, no ground to interfere and remand the matter for a decision afresh is made out. The claim petition was instituted on 10.08.2000 which was dismissed in default and on 01.12.2001, the main petition was restored as the opposite party had given no objection regarding its restoration. Thereafter,



both the parties had made statement in the Lok Adalat vide which appellant had agreed to accept a sum of Rs.10,000/- as compensation towards full and final settlement of the claim petition and thereafter, she had withdrawn the claim petition. The plea raised by the appellant that she is an illiterate woman and had thumb marked the statement inadvertently cannot be accepted. It is well settled that a presumption of correctness is attached to the proceedings before a Court and once both the parties got recorded their statements, the same were read over and explained to them and thereafter, they had appended their signatures/ thumb impressions and the petition was withdrawn. In case, such type of pleas will be accepted, it will bring anarchy to the judicial system and no sanctity will be attached to the proceedings of the Court. No interference is thus called for.

4. Even otherwise, the award was passed by the Lok Adalat on the basis of statements got recorded by both the parties. Hon'ble the Supreme Court in (2008) 2 SCC 660 – **State of Punjab and another Vs. Jalour Singh and others** has held that where an award is made by Lok Adalat in terms of a settlement between the parties, it is final and binding and executable as a decree, and that no appeal lies against it. It was further held that any challenge to such an award must be brought before the High Court in the proceedings under Articles 226 or 227 of the Constitution of India and only on limited grounds such as lack of consent, jurisdictional error or fraud. To the same effect is the law laid down in 2025 LiveLaw (SC) 1188 – **Dilip Mehta Vs. Rakesh Gupta and others**. Accordingly, it is held that the present appeal is also not maintainable and the only remedy with the appellant was to file a writ petition under Article 226 or 227 of



the Constitution of India to challenge the same on the ground of lack of consent or fraud.

5. Resultantly, there is no merit in the appeal and the same is ordered to be dismissed.

(Yashvir Singh Rathor)
Judge

January 28, 2026
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Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No