



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

CWP-9685-2025 (O&M)

Date of Decision: 27.03.2026

Jeeto

...Petitioner

Versus

The National Lok Adalat Jalandhar and Another

...Respondents

CORAM:- HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Bhawesh Chaudhary, Advocate
for the petitioner (Through V.C.).

JAGMOHAN BANSAL, J. (ORAL)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of award dated 14.09.2019 (Annexure P-6) whereby National Lok Adalat, Jalandhar dismissed her appeal as withdrawn.

2. Respondent No.2-Bikkar Singh filed Civil Suit for possession of land based on agreement to sell dated 24.06.2013. The petitioner denied authenticity of that agreement and claimed that it was fabricated. She filed written statement on 30.03.2015. The Civil Court decreed the suit in favor of respondent No.2. The petitioner preferred an appeal before Appellate Court assailing order passed by Civil Court. On 11.09.2019, counsel for the petitioner made a statement before learned Additional District Judge, Jalandhar. He further made a statement before National Lok Adalat that matter has been compromised, thus, appeal may be dismissed as withdrawn. The appeal came to be dismissed as

withdrawn vide order dated 14.09.2019 passed by Presiding Officer, National Lok Adalat, Jalandhar. that there are chances of compromise between the parties. The respondent filed execution application. The petitioner filed objections to execution application. The execution application has been disposed of vide order dated 04.02.2025 on the ground that respondent-decree holder has received possession of land measuring 2 Kanals 11 Marlas.

3. As per petitioner, she did not appear before Lok Adalat. She did not tender statement before Lok Adalat. The statement was made by counsel for the petitioner. He made statement without instructions from the petitioner. As statement was made without getting petitioner's instruction, thus, appeal was wrongly dismissed as withdrawn. In the execution application and reply, there was no reference of compromise.

4. Learned counsel representing the petitioner submits that petitioner did not appear before Lok Adalat still her appeal was withdrawn by her counsel. She was unaware of withdrawal of appeal as well as executing application. Her counsel himself filed reply to execution application.

5. Heard the arguments and perused the record.

6. From the perusal of record, it is evident that Civil Court passed decree on 18.09.2018. The petitioner preferred appeal before Appellate Court. On the basis of statement of counsel for the petitioner, the matter was referred to Lok Adalat. There was statement by counsel for the petitioner that appeal may be dismissed as withdraw. Accordingly, appeal was dismissed as withdrawn vide order dated 17.09.2019.

7. The petitioner is claiming that in the execution application,

factum of withdrawal of appeal on the basis of compromise was not mentioned which vindicates her stand. A perusal of execution application reveals that it was duly disclosed in the application that learned Additional District Judge vide order dated 14.09.2019 has dismissed appeal as withdrawn. The decree holder by pointing out said fact in the execution application made it clear that appeal has been dismissed as withdrawn. The petitioner remained silent for six years and decree was executed. She handed over possession to respondent and execution application was dismissed as withdrawn being fully satisfied. The sequel of events postulates that petitioner wants to resile from her stand and trying to take advantage of the fact that appeal was dismissed as withdrawn by her counsel. By her act and conduct, she acquiesced conduct of her counsel *qua* withdrawal of appeal.

8. In the wake of aforesaid discussion and findings, the petition deserves to be dismissed and accordingly ***dismissed***.

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

(JAGMOHAN BANSAL)
JUDGE

27.03.2026
Prince Chawla

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No