

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(131)

1. RSA-2581-2025 (O&M)
Date of Decision:06.05.2026

SANJEEV KUMAR ALIAS SANJU SINCE DECEASED THROUGH LRS AND
ANOTHER

... Appellants

Versus

BALRAM DECEASED THROUGH LRS AND OTHERS

... Respondents

2. RSA-2554-2025 (O&M)

PARKASH VIR AND ANOTHER

... Appellants

Versus

BALRAM (DECEASED) THROUGH HIS LRs AND OTHERS

... Respondents

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CORAM: HON'BLE MR. JUSTICE VIRINDER AGGARWAL

Present:- Mr. Brijesh Nandan, Advocate
for the appellants.

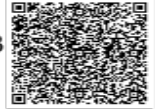
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VIRINDER AGGARWAL, J. (Oral)

CM-8909-C-2025 in **RSA-2581-2025**

1. The instant application has been preferred by the
applicant/appellant under Section 5 of the Limitation Act seeking
condonation of a delay of 10 days in filing the present appeal.

2. For the reasons stated in the application, and in the larger
interest of substantial justice, this Court is satisfied that sufficient cause



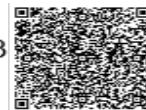
has been shown for condonation of the aforesaid delay. It is well settled that matters ought to be decided on merits rather than being defeated on technical considerations. Accordingly, the application is allowed and the delay of 10 days in filing the appeal stands condoned.

Main Cases

1. This consolidated judgment shall govern the adjudication of the above-captioned Regular Second Appeals (hereinafter referred to as “RSAs”), both of which arise out of an identical factual background and substantially overlapping questions of law. In view of the commonality of parties, the interrelated nature of the impugned decrees and judgments, and with the consent of learned counsel appearing for the respective parties, the present appeals are being decided together in the interest of judicial propriety, procedural convenience, consistency in adjudication, and avoidance of conflicting findings.

2. At the request of learned counsel for the appellants in both the appeals, the factual narrative forming the basis of the present adjudication has been comprehensively extracted from the records of both RSAs, as the same collectively furnish the most complete, coherent, and accurate account of the controversy involved. Although certain issues arising in the respective appeals may vary in their individual contours, the foundational facts remain substantially common and are, therefore, being treated as the representative factual matrix for the purposes of the present consolidated judgment.

3. The appellants–plaintiffs in the aforementioned RSAs have instituted the present appeals assailing the impugned decrees and judgments passed by the learned Appellate Courts below.

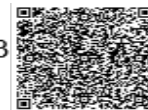


4. The present RSAs have been preferred against the concurrent decrees and judgments rendered by the learned Courts below whereby the suits instituted by the appellants–plaintiffs seeking declaration and permanent injunction came to be dismissed as not maintainable.

5. The appellants–plaintiffs had instituted suits for declaration challenging the Award/decreed passed by the Permanent Lok Adalat, Ambala in Civil Suit No.160/2.7.2005 decided on 23.07.2005, alleging the same to be illegal, null and void, and not binding upon their rights. The said suits were contested by the respondents–defendants on various grounds, including the preliminary objection regarding maintainability and the bar of jurisdiction of the Civil Court. Upon consideration of the pleadings and material on record, the learned trial Court dismissed the suits holding that the jurisdiction of the Civil Court to entertain and adjudicate upon the controversy stood expressly barred.

6. The appeals preferred by the appellants–plaintiffs also came to be dismissed by the learned First Appellate Courts. Aggrieved against the concurrent findings recorded by the learned Courts below, the appellants–plaintiffs have approached this Court by way of the present Regular Second Appeals.

7. Both the learned Courts below have rightly held that an Award passed by a Lok Adalat is not amenable to challenge before a Civil Court and have correctly placed reliance upon the law laid down by the Hon’ble Supreme Court in ***State of Punjab and Another v. Jalour Singh and Others, AIR 2008 SC 1209***. The Hon’ble Apex Court has categorically held that an Award rendered by a Lok Adalat attains finality and is executable as a decree of a Civil Court. It has further been authoritatively

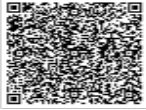


declared that where any party seeks to assail such an Award founded upon a settlement or compromise, the permissible remedy lies only by invoking the extraordinary writ jurisdiction under Articles 226 and/or 227 of the Constitution of India, and that too on limited and well-recognized grounds.

7.1. Further, in ***Bhargavi Constructions and Another v. Kothakapu Muthyam Reddy and Others, 2017 INSC 867***, the Hon'ble Supreme Court, while relying upon the principles enunciated in ***State of Punjab and Another v. Jalour Singh and Others*** (supra), reiterated the settled legal position and observed as under:-

“27. In our considered view, the aforesaid law laid down by this Court is binding on all the Courts in the country by virtue of mandate of Article 141 of the Constitution. This Court, in no uncertain terms, has laid down that challenge to the award of Lok Adalat can be done only by filing a writ petition under Article 226 and/or Article 227 of the Constitution of India in the High Court and that too on very limited grounds.”

8. Having bestowed thoughtful consideration upon the matter in its entirety, and in the light of the authoritative pronouncements rendered by the Hon'ble Supreme Court, this Court is of the considered opinion that the concurrent findings recorded by the learned Courts below neither suffer from any jurisdictional error nor disclose any perversity, patent illegality, misreading of evidence, or material irregularity warranting interference in exercise of appellate jurisdiction. The learned Courts below have rightly concluded that the Civil Suits instituted by the appellants–plaintiffs were inherently not maintainable, the jurisdiction of the Civil Court being



clearly barred in view of the settled proposition of law governing the challenge to an Award rendered by a Lok Adalat.

8.1. It stands conclusively settled that an Award passed by a Lok Adalat attains finality and is executable as a decree of a Civil Court, and the legality or validity thereof cannot be assailed by way of an independent civil proceeding. The only remedy available to an aggrieved party is to invoke the extraordinary supervisory and writ jurisdiction of the High Court under Articles 226 and/or 227 of the Constitution of India, and that too within the narrow confines delineated by judicial precedent. The appellants, having adopted a remedy impermissible in law, cannot derive any advantage therefrom.

8.2. Accordingly, this Court finds no merit whatsoever in the present Regular Second Appeals. The appeals, being wholly misconceived, legally untenable, and devoid of substance, are hereby **dismissed**.

9. A photocopy of the present judgment be placed on the connected case file for ready reference and for ensuring due compliance, if so required.

10. Consequent upon the final adjudication of the principal controversy involved in the present proceedings, all pending miscellaneous and ancillary applications, if any, shall stand disposed of by necessary implication, no separate or further orders being warranted thereon.

06.05.2026
Gaurav Sorot

(**VIRINDER AGGARWAL**)
JUDGE

Whether reasoned / speaking?	Yes / No
Whether reportable?	Yes / No