



S. No. 61
Suppl. Cause List

2022:JKLHC-SGR:2992

IN THE HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT SRINAGAR

CM(M) No. 87/2022

CM No. 2838/2022

Sheikh Sons

...Petitioner(s)

Through: Mr. M. I. Dar, Adv.

Vs.

Sajid Majeed Baba and Anr.

...Respondent(s)

Through:

CORAM:

HON'BLE MR JUSTICE VINOD CHATTERJI KOUL, JUDGE

ORDER

03.06.2022

1. The petitioner is aggrieved of the order dated 11.11.2021, passed by Special Lok Adalat (District Legal Service Authority, Bandipora-Sub-Judge (CJM) Bandipora), which is reproduced here under:

“Parties along with their counsel present, who have submitted a written compromise in urdu contained in one page and prayed that the case is disposed of in light of compromise. Contents of compromise were read over and explained to the parties who admitted the same is true and correct. Their statement and their identifying witnesses were recorded on the back of compromise. Compromise is allowed and the complaint is disposed of in light of contents of compromise. Compromise shall form the part of this award.”

2. Learned counsel for the petitioner submits that this petition against the aforesaid order is maintainable and in support of his contention he is relying upon the judgments titled ***State of Punjab & Anr. V. Jalour Singh & Ors. passed in Appeal (Civil) 522 of 2008 and Munni Devi & Ors v. Dul Dul Prasad & Ors. passed in WP(C) No. 21/2019.***
3. It is evident from the order passed by the Special Lok Adalat (District Legal Service Authority, Bandipora), that the parties along with their counsel were present. The award would also show that the compromise was submitted before the Lok Adalat and as per the order, the contents



of compromise were read over and explained to the parties. On their admission, contents of this compromise, award was passed. So it is not a case where compromise has been arrived at or award passed in absence of the parties. Therefore, judgments relied upon by the petitioner are not applicable to the facts of the present case. The contents of para 15 of writ petition is falsified by the award passed by the Special Lok Adalat, as the proceedings recorded are presumed to be correct.

4. In view of this fact, this petition is not maintainable and the same is, accordingly, **dismissed**. However, petitioner is at liberty to take such a legal remedy as may be available to him under law.

SRINAGAR
03.06.2022
Manzoor

