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IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20288 of 2025

CNR No. BRHC011213852025

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Bigan Shah Son of Late Ramroop Shah, Resident of Village- Banua Tola Konhi, P.O. and P.S.- Nauhatta, District- Rohtas (Bihar).

... ... Petitioner/s

Versus

1. The State of Bihar through the District Collector, Rohtas at Sasaram.
2. Bachani Devi, W/o Late Murari Sah, Resident of village- Banua Toli Konhi, P.O. and P.S. Nauhatta, District- Rohtas.
3. Parshuram Shah Son of Late Murari Sah, Resident of village- Banua Toli Konhi, P.O. and P.S. Nauhatta, District- Rohtas.
4. Mangal Shah, Son of Late Ramdhani Shah, Resident of village- Banua Toli Konhi, P.O. and P.S. Nauhatta, District- Rohtas.
5. Kamla Prasad, Son of Late Ramdhani Shah, Resident of village- Banua Toli Konhi, P.O. and P.S. Nauhatta, District- Rohtas.
6. Uday Sah, Son of Late Ramdhani Shah, Resident of village- Banua Toli Konhi, P.O. and P.S. Nauhatta, District- Rohtas.
7. Kunwar Devi, W/o Late Bijeshwar Shah, Resident of village- Banua Toli Konhi, P.O. and P.S. Nauhatta, District- Rohtas.
8. Krishna Sah, Son of Late Bijeshwar Shah, Resident of village- Banua Toli Konhi, P.O. and P.S. Nauhatta, District- Rohtas.
9. Baliram Sah, Son of Late Bijeshwar Shah, Resident of village- Banua Toli Konhi, P.O. and P.S. Nauhatta, District- Rohtas.
10. Mukesh Sah, Son of Late Bijeshwar Shah, Resident of village- Banua Toli Konhi, P.O. and P.S. Nauhatta, District- Rohtas.
11. Amerika Sah, Son of Bifan Sah, Resident of village- Banua Toli Konhi, P.O. and P.S. Nauhatta, District- Rohtas.
12. Sudarshan Sah, Son of Bifan Sah, Resident of village- Banua Toli Konhi, P.O. and P.S. Nauhatta, District- Rohtas.
13. Nawal Sah, Son of Bifan Sah, Resident of village- Banua Toli Konhi, P.O. and P.S. Nauhatta, District- Rohtas.
14. Binod Sah, Son of Bifan Sah, Resident of village- Banua Toli Konhi, P.O. and P.S. Nauhatta, District- Rohtas.

... ... Respondent/s

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Appearance :

For the Petitioner/s	:	Mrs. Smriti Kumari, Adv. Mrs. Maya Shankar Mishra, Adv. Mrs. Sneha Ranjan, Adv.
For the Respondent/s	:	Mr. Bajarangi Lal, Adv. Mr. Priya Ranjan Kumar, SC-23 Mr. Onkar Kumar, AC to SC-23

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CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY

ORAL JUDGMENT

Date : 02-11-2026

1. The present Writ petition has been filed seeking issuance of a direction to the Members of the Permanent Lok Adalat, Sasaram, Rohtas, to modify the award dated 07.07.2011 passed in Case No. 295 (D)/2010, in view of the statements made in paragraph No. 4 of the compromise petition dated 09.05.2011, filed by the concerned parties, i.e., the petitioner as well as the respondents, by incorporating Khata No. 69, Plot No. 271, measuring an area of 1½ decimals, in Schedule-C of the compromise, which was inadvertently left out on account of a bona fide typographical mistake, as it is the petitioner's case that the compromise petition is an integral part of the award.

2. The brief facts, as culled out from the Writ petition, are that the father of respondent Nos. 11 to 14 (the plaintiffs) filed Case No. 295 (D)/2010 before the Learned Permanent Lok Adalat, Rohtas, Sasaram, on 14.09.2010, seeking a one-fourth (¼)

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share in the land mentioned in Schedule-A of the plaint, through partition by meets and bounds, with the assistance of a survey-knowing advocate, along with such other reliefs, to which the father of respondent Nos. 11 to 14 might be found entitled. In the said case, he impleaded the petitioner as well as the ancestors of respondent Nos. 2 to 10 as defendants.

3. The case of the father of respondent Nos. 11 to 14, in brief, is that his ancestor, namely, Javit Shah, had three sons, namely, (i) Ramroop Shah, (ii) Ramcharitar Shah and (iii) Ramsundar Shah. Ramsundar Shah died issueless, whereas Ramroop Shah had four sons, i.e. defendant Nos. 1 to 4. The petitioners, Bifan Shah and Bigan Shah, were impleaded as defendant Nos. 5 and 6, respectively. The records further reveal that the parties arrived at a compromise, pursuant to which an award was passed by the Permanent Lok Adalat in respect of the land in dispute between the parties.

4. It is the specific contention of the

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petitioner that, due to a typographical mistake on the part of the typist, certain details relating to a portion of the land were inadvertently omitted from the award and, therefore, the present Writ petition has been filed seeking incorporation of the said details therein.

5. Heard the Learned counsel for the petitioner as well as the Learned counsel for the respondents.

6. The Learned counsel appearing on behalf of respondent Nos. 2 to 13 contended that the Permanent Lok Adalat has no jurisdiction to review its own award and, therefore, no review thereof can be undertaken, even if a mistake has been committed in the award.

7. Having heard the rival submissions advanced by the Learned counsel appearing for both parties and upon perusal of the records, it is evident that Section 22-A & 22-B of Chapter VI-A deals with the definitions relevant to Permanent Lok Adalats and its procedure.

8. Section 22-A and Section 22-B (1) reads

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as follows:-

“22-A. Definitions.- *In this Chapter and for the purposes of sections 22 and 23, unless the context otherwise requires,-*

(a) "Permanent Lok Adalat" means a Permanent Lok Adalat established under sub-section (1) of section 22-B;

(b) "public utility service" means any-

(I) transport service for the carriage of passengers or goods by air, road or water; or

(ii) postal, telegraph or telephone service; or

(iii) supply of power, light or water to the public by any establishment; or

(iv) system of public conservancy or sanitation; or

(v) service in a hospital or dispensary; or

(vi) insurance service;

and includes any service which the Central Government or the State Government, as the case may be, may, in the public interest, by notification, declare to be a public utility service for

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the purposes of this Chapter.

***22-B. Establishment of Permanent Lok Adalats**.*

(1) Notwithstanding anything contained in section 19, the Central Authority or, as the case may be, every State Authority shall, by notification, establish Permanent Lok Adalats at such places and for exercising such jurisdiction in respect of one or more public utility services and for such areas as may be specified in the notification."

9. Upon perusal of the aforesaid provisions of Sections 22-A and 22-B (1) of the Legal Service Authorities Act, 1987, it is evident that a Permanent Lok Adalat is established for adjudicating disputes pertaining to Public Utility Services and it has no jurisdiction to record a compromise in respect of a land dispute. Therefore, the award dated 07.07.2011 passed by the Permanent Lok Adalat, Sasaram, Rohtas, is *void ab initio.*

10. In view of the above discussion, this Court sets aside the award passed by the

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Permanent Lok Adalat, Sasaram, Rohtas, dated 07.07.2011, with liberty to the parties, if so intends, to approach the competent Civil Court for recording their compromise or to file an application before the District Legal Services Authority, Sasaram, by way of a pre-litigation case for recording the compromise.

11. With the aforesaid liberty, the Writ petition stands disposed of.

(G. Anupama Chakravarthy, J)

Aryan/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	04.11.2026.
Transmission Date	N/A

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