

SUPREME COURT OF INDIA

Sudhir Kumar Jain

Vs.

Neeraj Kumar Jain

C.A.No.8151 of 2018

(Kurian Joseph and Sanjay Kishan Kaul, JJ.)

09.08.2018

JUDGMENT

Kurian Joseph, J.,

SLP(Civil)No.13683 of 2015

1. Leave granted.

2. The appellant challenged the award passed by the Lok Adalat before the High Court, where Original Suit No. 68 of 2010 has been compromised between the parties. According to the learned senior counsel appearing for the appellant, he was neither a party to the suit nor to the settlement. According to the learned counsel for the respondents, the appellant is not an affected party. The High Court was not inclined to interfere with the award on the ground that the appellant was not an party. But we are informed that the core issue regarding the settlement as per the Lok Adalat dated 02.09.2013 is now pending before the High Court in Misc. Petition (C) No. 497 of 2018, in which both the sides are parties. In view of the above circumstances, we set aside the impugned Judgment dated 11.03.2015 and remit the matter to the High Court, to be taken along with Misc. Petition (C) No. 497 of 2018. The parties are free to move the High Court for expeditious disposal of the Misc. Petition. In view of the above, this appeal is disposed of.

3. Delay condoned.

4. Leave granted.

5. In terms of the Judgment passed in Civil Appeal No. 8151 of 2018 [@ SLP (C) No. 13683 of 2015) above, this appeal is disposed of.