

IN THE HIGH COURT OF JHARKHAND AT RANCHI
L.P.A. No.60 of 2026

1. Jhubli Devi, wife of Late Gandra Oraon, aged about- 69 years, resident of Tilma, P.O.-Tilmi, P.S.-Karra, District-Khunti, Jharkhand
2. Mahendra Kumar Singh, aged about 63 years, son of Bachu Singh, resident of Village-Sondiha, P.O.-Kocheya, P.S.-Bishunpura, District-Garhwa, Jharkhand
3. Urmila Devi, wife of Late Shyam Nandan Singh, aged about 63 years, resident of ward no.11, Sahejana, P.O.-Tower Gali, P.S.-Garhwa, District-Garhwa, Jharkhand, presently residing at Bharkuriya Kala, P.O. & P.S.-Suryapura, District-Rohtas, Bihar
4. Luis Kujur, aged about-65 years, son of Late Andrius Kujur, resident of Tola Korhati, Village-Bargarh, Sondiha, P.O. Bargarh, P.S.- Bhandaria, District- Garhwa, Jharkhand
5. Sukar Prasad Singh, aged about 66 years, son of Pachratan Singh, resident of Village-Barkol Kala, P.O.-Paraswar, P.S.-Bhandaria, District-Garhwa, Jharkhand
6. Jugal Ram @ Yugal Ram, aged about 65 years, son of Jatan Ram, resident of Village-Ugra, P.O.-Bargarh, P.S. Bhandaria, District-Garhwa, Jharkhand
7. Rajendra Prasad Singh, aged about 67 years, son of Butan Singh, resident of Ward no.7, Chiniya Road, Pipra Kala, P.O.-Garhwa, P.S.- Garhwa, District-Garhwa, Jharkhand
8. Kuldeep Ram, aged about 67 years, son of Shivpujan Kahar, resident of Village-Mahuliya, P.O.- Soh, P.S.-Garhwa, District-Garhwa, Jharkhand
9. Bhuwaneshwar Vishwkarma @ Bhwaneshwar Vishwkarma, aged about 63 years, son of Tapsi Mistri, resident of Babhandih, P.O.- Babhandih, P.S.-Barwadih, District-Latehar, Jharkhand
10. Nagendra Singh, aged about 67 years, son of Ramadhar Singh, resident of Village-Sondiha, P.O.-Kocheya, P.S.-Nagar Untari, District-Garhwa, Jharkhand

11. Mahendra Nath Singh, aged about 65 years, son of Shambhu Nath Singh, resident of Ward no.1, Village-Bodra, P.O.-Harigawan, P.S.-Manjhiaon, District-Garhwa, Jharkhand
12. Moti Chand Thakur, aged about 65 years, son of Saryu Thakur, resident of Village-Ramna, P.O.-Ramna, P.S.-Ramna, District-Garhwa, Jharkhand
13. Hari Shankar Awasthi, aged about 68 years, son of Uma Shankar Awasthi, resident of Talbanna, P.O.-Sahebganj, P.S.-Sahebganj, District-Sahebganj, Jharkhand
14. Anil Kumar Singh, aged about 63 years, son of Late Rajeshwar Prasad Singh, Resident of Village Akhtiyarpur, P.O.- Bhanworhan, P.S.- Mahua, District- Vaishali, BiharAppellants.

-Versus-

1. The State of Jharkhand, through the Chief Secretary, Government of Jharkhand, Secretariat, Project Building, P.O. and P.S. Dhurwa, District Ranchi, Jharkhand.
2. The Secretary, Water Resources Department, Government of Jharkhand, having its office at Nepal House, Doranda, P.O. and P.S. Doranda, District- Ranchi, Jharkhand.
3. The Chief Engineer, Minor Irrigation Department, Government of Jharkhand, having its Office at Engineering Building, P.O.- G.P.O., P.S. Kotwali, District- Ranchi, Jharkhand.
4. The Executive Engineer, Minor Irrigation Division, Garhwa, P.O., P.S. & District-Garhwa, Jharkhand
5. The Executive Engineer, Minor Irrigation Division, Hussainabad, P.O. & P.S.- Huassinabad, District- Palamau, Jharkhand
6. The Executive Engineer, Water Resources Division, Garhwa, P.O., P.S. & District- Garhwa, Jharkhand
7. The Executive Engineer, Anusandhan Division, Garhwa, P.O., P.S. & District- Garhwa, Jharkhand
8. The Executive Engineer, Kadhwan Bandh Division, Nagaruntari, P.O. & P.S.- Nagaruntari, District- Garhwa, Jharkhand
9. The Executive Engineer, Minor Irrigation Division, Sahebganj, P.O.. P.S. & District- Sahebganj, Jharkhand

10. The Executive Engineer, Minor Irrigation Division, Khunti, P.O.,
P.S. & District- Khunti, Jharkhand
..... Respondents

CORAM : HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE RAJESH SHANKAR

For the Appellants : Mrs. Rakhi Rani, Advocate
Mr. Akhilesh Prasad, Advocate
For the Respondents: Mr. Aman Kumar, A.C. to S.C.-VI
Mr. Rituraj, A.C. to S.C.-VI

Reserved on 08.04.2026 **Pronounced on 13.04.2026**
Per: Rajesh Shankar, J.

1. The present Letters Patent Appeal is directed against the judgment/order dated 26.11.2025 passed in W.P. (S) No.6739 of 2025, whereby the learned Single Judge of this Court has dismissed the writ petition filed by the writ petitioners/appellants observing inter alia that the same is not maintainable being barred by the principle of *res judicata*.
2. The learned counsel for the writ petitioners/appellants submits that a writ petition being W.P.(S) No.1298 of 2023 was filed by the writ petitioners seeking issuance of direction upon the respondents to consider their cases for pensionary and other benefits by counting their services from the date of initial appointments when they had joined as daily rated employees and not from the date of their regularization. The said writ petition was referred to the National Lok Adalat and the dispute was settled in terms of the award dated 13.07.2024 whereby the respondents were directed to extend the pensionary benefits to the writ petitioners by counting earlier services from the date of their initial appointments.

3. It is also submitted that the writ petitioners filed their respective representations along with copy of the award dated 13.07.2024, however, the same was not implemented by the respondents even after lapse of more than a year from the date of receipt of the copy of the said award.
4. It is further submitted that the writ petitioners subsequently filed Contempt Case (Civil) No.182 of 2025, however, the contempt proceeding was dropped by the learned Single Judge of this Court vide order dated 07.11.2025 observing that the alleged non-compliance of the award passed by the National Lok Adalat was not amenable to contempt jurisdiction.
5. Learned counsel for the appellants also submits that the writ petitioners thereafter filed another writ petition being W.P.(S) No. 6739 of 2025 which was also dismissed by the learned Single Judge vide order dated 26.11.2025 observing that the same was not maintainable being barred by the principle of *res judicata*. It was further observed that the petitioners' prayer was for execution of the settlement arrived at in the Lok Adalat, whereas the Writ Court exercising jurisdiction under Article 226 of the Constitution of the India should not act as an executing court to execute a settlement arrived at in the Lok Adalat.
6. It is argued that the learned Single Judge has failed to appreciate that the earlier writ petition was disposed of in terms of settlement arrived at by the parties in the National Lok Adalat and not by adjudication on merit by a court of competent jurisdiction. As such, the subsequent writ petition being W.P.(S) No.6739 of 2025 filed

by the writ petitioners was not barred by the principle of *res judicata*.

7. It is also urged that the principle of *res judicata* is not applicable in a case where subsequent writ petition is filed seeking enforcement of the award made in a Lok Adalat which, rather gives rise to a fresh and continuing cause of action due to non-implementation of the award made in terms of the settlement arrived at in a National Lok Adalat.
8. It is further contended that the issue involved in W.P.(S) No.1298 of 2023 was regarding entitlement of the writ petitioners to pensionary benefits by counting their long rendered past services as daily rated employees, which got settled in the National Lok Adalat vide award dated 13th July, 2024 whereas the issue for adjudication in the subsequent writ petition i.e., W.P.(S) No.6739 of 2025 was for release of the difference of pensionary benefits to the writ petitioners in terms of the settlement reached in the National Lok Adalat.
9. It is also contended that the Executive Engineer, Minor Irrigation Division, Garhwa, was physically present in the National Lok Adalat held on 13.07.2024 who undertook to pay the difference of pensionary benefits as per the entitlement of the writ petitioners. The said authority was also arrayed as respondent in W.P.(S) No. 6739 of 2025. Hence, the principle of *res judicata* is not at all applicable in the facts and circumstances of the present case.
10. According to the learned counsel for the appellants, the learned Single Judge failed to appreciate that every award made by a Lok

Adalat is final and binding on all the parties to the dispute under Section 21 of the Legal Services Authorities Act, 1987 (in short "Act, 1987"), and non-implementation of the same, amounts to violation of legal and constitutional rights of the appellants.

11. It is submitted that the High Court, in the exercise of its writ jurisdiction, is empowered to issue appropriate directions to ensure implementation of the award made by the National Lok Adalat, particularly when the authorities despite being the parties in the said proceeding, act arbitrarily and in breach of their undertaking.
12. It is further argued that the learned Single Judge has made an error in observing that a Writ Court in exercise of its jurisdiction under Article 226 of the Constitution of the India, cannot act as an executing court to execute a settlement reached in the National Lok Adalat particularly in view of the fact that the appellants were not seeking execution in the strict sense, rather enforcement of a statutory settlement reached in the National Lok Adalat which was being blatantly defied by the State authorities. The State and its authorities are legally bound to honour the award made by the National Lok Adalat, the non-enforcement of which infringes the fundamental rights of writ petitioners enshrined under Articles 14 and 21 of the Constitution of India.
13. It is further urged that deliberate and sinister attempt of the State authorities to violate the award defeats the very object and spirit of the Act, 1987 and undermines the public confidence in the institution of Lok Adalat, which is a statutory alternative dispute

resolution mechanism specifically designed to provide expeditious, economical and firm justice.

14. On the contrary, the learned counsel for the respondents submits that the learned Single Judge had rightly dismissed the writ petition, being W.P.(S) No.6739 of 2025 in view of the fact that the writ petitioners were trying to re-agitate the same issue in a fresh writ proceeding.
15. It is further submitted that the proper remedy available to the writ petitioners was to file execution case before a competent court of civil jurisdiction, rather than invoking the writ jurisdiction of this Court.
16. Heard the learned counsel for the parties and perused the materials available on record.
17. It is evident from the record that the writ petition being, W.P.(S) No. 1298 of 2023, was filed by the writ petitioners/appellants seeking grant of pensionary and other benefits by counting services from the date of their initial appointments as daily-rated employees. The said writ petition was referred to the National Lok Adalat where an award dated 13.07.2024 was made by the Bench in terms with the settlement arrived at between the parties and the respondents were directed to extend pensionary benefits to the writ petitioners by counting their earlier services from the date of initial appointments. At the time of making of the said award, the Executive Engineer, Minor Irrigation Division, Garhwa, was present before the Bench and had undertaken to pay the

differences of pensionary benefits to the writ petitioners as per their entitlement. He had also put his signature on the award.

18. In the case of ***State of Punjab and Another Vs. Jalour Singh and Others*** reported in ***(2008) 2 SCC 660***, the Hon'ble Supreme Court has held that where an award is made by the Lok Adalat in terms with a settlement arrived at between the parties (which is duly signed by parties and annexed to the award of the Lok Adalat), it becomes final and binding on the parties to the settlement and is executable as if it is a decree of a civil court, and no appeal lies against it to any court. If any party wants to challenge such an award based on settlement, it can be done only by filing a petition under Article 226 and/or Article 227 of the Constitution, that too on very limited grounds.
19. In the present case, the respondents neither challenged the award by filing any writ petition nor complied with the same. The writ petitioners filed Contempt Case (Civil) No.182 of 2025, the proceeding of which was dropped by the learned Single Judge observing inter alia that the alleged non-compliance of any order made by the National Lok Adalat was not amenable to contempt jurisdiction. The writ petitioners did not file an execution case before the concerned Civil Court for execution of the award dated 13.07.2024; rather, they filed another writ petition, being W.P.(S) No. 6739 of 2025, praying for implementation of the said award and for imposition of costs upon the respondents. However, the said writ petition was also dismissed by the learned Single Judge observing that the same was barred by the principle of *res*

judicata. Thus, even after the award of the National Lok Adalat having attained finality, the writ petitioners got no relief.

20. Now, the issue before this Court is as to what order can be made by this Court under the facts and circumstance of the present case.
21. The respondents, except raising purely a technical objection with respect to the maintainability before the Writ Court, had failed to show any justifiable and cogent reason for not implementing the award dated 13.07.2024 passed in W.P.(S) No.1298 of 2023. Before this Court also, the respondents have not been able to make out any good ground as to why the said award has not yet been implemented. Even otherwise, it is no more *res-integra* that the service period rendered by an employee as temporary or officiating basis against a substantive pensionable post prior to his regularization, has to be counted towards the payment of pensionary benefits. Thus, such claim of the writ petitioners holds good even on merit.
22. The writ petitioners are poor and old, who have been put to serious adversity and made to immensely suffer due to non-implementation of the award dated 13.07.2024 made in W.P.(S) No.1298 of 2023. The writ petitioners are deprived of the fruits of the award for more than a year and 9 months, only due to indifferent and whimsical attitude of the respondents. The respondents being the state authorities are obligated to act fairly and reasonably, particularly when they are dealing with the private individuals. They should not be permitted to escape from their solemn duty to honour the award of the Lok Adalat merely by

raising technical objection. Such an action of the respondents is bound to be deprecated.

23. Under the said circumstance, it would not be appropriate to relegate the writ petitioners to the recourse of execution proceeding before the concerned Civil Court. As such, looking to the peculiar facts and circumstance of the present case and to meet the interest of justice, we direct the respondents to implement with the award dated 13.07.2024 made in W.P.(S) No.1298 of 2023 within four weeks from the date of this order. Since the respondents have deliberately delayed implementation of the award dated 13.07.2024, they are also directed to pay interest to the writ petitioners upon due amount at the rate of 6% per annum which shall be calculated from the date of passing of the award till the payment of the same.
24. The present Letters Patent Appeal is, accordingly, disposed of.
25. Pending interlocutory application(s), if any, is also disposed of.

(M.S. Sonak, C.J.)

(Rajesh Shankar, J.)

13th April, 2026
A.F.R.
Rohit
Uploaded on 13.04.2026