



# The Indian Journal for Research in Law and Management

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## BEYOND THE BENCH: LOK ADALAT'S IMPACT ON LEGAL DYNAMICS

The concept of Lok Adalat was introduced in India in the year 1982 in Gujarat, although statutory status was given in the year 1987 under legal Service Authorities Act. Lok Adalat is also known as People's Court. Lok Adalat is one of the forms of ADR (Alternative Dispute Resolution) in India. Law has become costly these days and Lok Adalat is one way introduced to reduce the expenses as it hears the pre litigation matter/pending cases and settle the matter by compromise or settlement agreement. The decision given in Lok Adalat is binding upon the parties and has same enforcement as that of a decree of the Court. It intends to provide a speedy, inexpensive, and effective system for resolution of disputes, particularly those of a civil nature and compoundable criminal matters through the mediation and conciliation.

### LOK ADALAT IN EASING COURT BACKLOGS

National Level Lok Adalats are held at regular intervals where on a single day Lok Adalats are held throughout the country, in all the courts right from the Supreme Court till the Taluk Levels wherein cases are disposed in huge numbers.<sup>1</sup>

In India, conducting four National Lok Adalats every year has been a practice. Based on the report released by the National legal Service Authority dated Jan 2, 2024, in the year 2021, 2022, and, 2023 the number of cases disposed of by Lok Adalats are 127.88 lacs, 419.26 lacs and 810.30 lacs respectively.

Approved National Lok Adalat schedule for 2024 are as follows:

- The 1<sup>st</sup> National Lok Adalat of this year (2024) is to be conducted on March 9, 2024
- 2<sup>nd</sup> Lok Adalat to be conducted on May 5, 2024,
- 3<sup>rd</sup> Lok Adalat on September 14, 2024 and,

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<sup>1</sup> National Legal Service Authority, <https://nalsa.gov.in/lok-adalat> , (last visited Feb 5,2024, 2:01pm)

- 4<sup>th</sup> Lok Adalat on December 14, 2024.

Based on the data, it is evident that Lok Adalat has not failed its objective and contributed significantly towards alleviating the burden of backlog on the Indian Judiciary.

## **CONS OF PRESENT LOK ADALAT SYSTEM**

Though Lok Adalats come with a lot of merits, there are areas where improvements and amends can be made. Firstly, given the success of Lok Adalats in compoundable civil offences, its role in criminal cases is rather limited. It goes without saying that ADR is not a suitable alternative for cases regarding heinous offences like rape, murder etc. However, there are still many petty crimes which are non-compoundable and hence do not come under the purview of Lok Adalats. Another drawback of Lok Adalats is that in a situation where a compromise is not arrived at, the case is referred back to the court which in turn limits the powers of Lok Adalats. Lastly, the lack of judicial literacy has been a major contributor behind why many people do not seek redressal in Lok Adalats. Many people are not aware that such a concept called Lok Adalat even exists which is why they end up following the traditional method of approaching the Courts for justice. Another group of people exists where they are aware of the existence of Lok Adalats but do not have confidence in the process and the quality of justice dispensed by the same<sup>2</sup> or does not opt for it because of lack of confidentiality. In my opinion, with much more frequent door to door campaign to spread information about Lok Adalat can make large number of people see Lok Adalat as an option to settle the dispute.

## **CASE LAWS**

*Punjab National Bank v. Lakshmidhand Rai*<sup>3</sup>

It was observed that Lok Adalats are conducted under an independent enactment and the awards passed by it are final and binding on the parties. Further, Section 21(2) of the Legal Services Authority Act states that no appeal shall lie against an order of the Lok Adalat.<sup>4</sup>

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<sup>2</sup> Nitya Mehrotra, Lok Adalat: A Catalyst for change in the Indian Judicial Structure, Manupatra Articles, (Feb 7, 2024, 11:47am), <https://articles.manupatra.com/article-details/Lok-Adalat-A-Catalyst-for-change-in-the-Indian-Judicial-Structure>

<sup>3</sup> AIR 2000 MP 301

<sup>4</sup> iPleaders, <https://blog.iplayers.in/solutions-burden-backlog-cases/> (last visited Feb 7, 2024, 12:09pm)

The court further stated that even the C.P.C. does not provide an appeal under section 96 against a consent decree. The C.P.C. also intends that once a consent decree is passed by Civil Court, finality is attached to it.<sup>5</sup>

*Estate Officer v. Colonel H.V. Mankotia*<sup>6</sup>

Court said “Once there is no compromise and/or a settlement between the parties before the Lok Adalat, as provided in sub-section (5) of Section 20, the matter has to be returned to the Court from where the matter was referred to Lok Adalat for deciding the matter on merits by the concerned court.”<sup>7</sup>

*Board of Trustees of the Port of Visakhapatnam v. Presiding Officer*<sup>8</sup>

Though the award of a Lok Adalat is not a result of a contest on merits just as a regular suit by a Court on a regular trial, however, it is as equal and on par with a decree on compromise and will have the same binding effect and conclusive. Just as the decree passed on compromise it cannot be challenged in a regular appeal, the award of the Lok Adalat being akin to the same, it cannot be challenged by any regular remedies available under law including invoking Article 226 of the Constitution of India challenging the correctness of the award on any ground. Judicial review cannot be invoked in such awards especially on the grounds as raised in this writ petition.<sup>9</sup>

## CONCLUSION

Throughout the years, Lok Adalats have been a significant force for transformation in both the Indian legal framework and the wider community. Lok Adalats have not just lightened the load on the judiciary, but they have additionally made it simple for all individuals to seek justice, regardless of their economic situation. With the advent of Lok Adalats, pursuing justice has changed from being a privilege to being a basic human right.<sup>10</sup> Lok Adalat has served its objectives but with more encouragement to the public, this concept can be a

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<sup>5</sup> Medium, <https://medium.com/@gistgyan/role-of-lok-adalats-in-india-3694c589e3b7> (last visited Feb 7, 2024, 12:13pm)

<sup>6</sup> 2021 SCC OnLine SC 898

<sup>7</sup> Prachi Bharadwaj, In absence of any settlement, Lok Adalat can't enter into merits of writ petition and dismiss it on merit: Supreme Court, (Feb 7, 2024, 1:03pm), <https://www.sconline.com/blog/post/2021/10/09/in-absence-of-any-settlement-lok-adalat-cant-enter-into-merits-of-writ-petition-and-dismiss-it-on-merits-supreme-court/>

<sup>8</sup> 2000(5)ALT577

<sup>9</sup> Indian kanoon, <https://indiankanoon.org/doc/173415864/> (last visited Feb 7, 2024, 1:26pm)

<sup>10</sup> Rishi Pandey, Role Of Lok Adalats In Promoting Access To Justice, Live Law, (Feb 7, 2024, 12:43pm) <https://www.livelaw.in/lawschool/articles/role-of-lok-adalats-in-promoting-access-to-justice-230348>

greatest success. When the number of cases reduce the court will be able to pay enough attention to the matters which actually requires it.