

KERALA STATE CONSUMER DISPUTES REDRESSAL COMMISSION

VAZHUTHACAUD, THIRUVANANTHAPURAM

REVISION PETITION No.56/2024

ORDER DATED : 19.12.2025

(Against the order in I.A.No.111/2024 in C.C.No.351/2023 on the files of DCDRC, Alappuzha)

PRESENT:

HON'BLE JUSTICE SRI. B. SUDHEENDRA KUMAR : PRESIDENT
SRI. AJITHKUMAR D. : JUDICIAL MEMBER
SRI. K.R. RADHAKRISHNAN : MEMBER

REVISION PETITIONERS/OPPOSITE PARTIES:

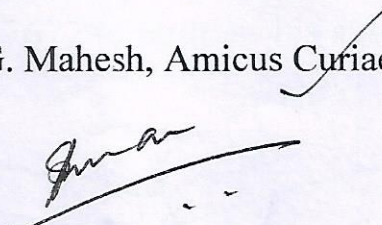
1. The Chairman, Gurudeva Trust, Gurudeva Finance & Investment Company, Reg.No.46/04, License No.C21, Erickavu, Karthikappally, Alleppey – 690 516
2. P. Chandramohan, Gurudeva Trust, Sudarshana, Erickavu, Karthikappally, Alleppey – 690 516
3. T.P. Prasad, Secretary, Gurudeva Trust, Chaprayil House, Erickavu, Karthikappally, Alleppey – 690 516
4. T.P. Prasad, Chaprayil House, Erickavu, Karthikappally, Alleppey – 690 516
5. Ajithsankar, Poozhikkad, Erickavu, Karthikappally, Alleppey – 690 516
6. Satheesan, Puthenpurayil House, Erickavu, Karthikappally, Alleppey – 690 516
7. Sukumaran, Valloppilliyil House, Karthikappally, Alleppey – 690 516
8. Manilal, Uppukunnel, Erickavu, Karthikappally, Alleppey – 690 516
(by Adv. S. Reghukumar, Adv. Threya J. Pillai & Adv. Jwala K.P.)

Vs.

RESPONDENTS/COMPLAINANT:

Jayaprakash, Puthenvelil, Thekkethil, Erickavu, Karthikappally, Alleppey – 690 516

(by Adv. N.G. Mahesh, Amicus Curiae)



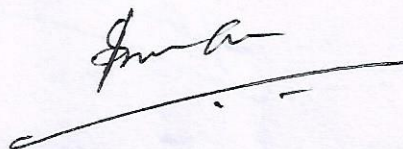
ORDER

HON'BLE JUSTICE SRI. B. SUDHEENDRA KUMAR : PRESIDENT

The revision petitioners are the opposite parties in C.C.No.351/2023 on the files of the Consumer Disputes Redressal Commission, Alappuzha (the 'District Commission' for short).

2. The complainant contended that the complainant deposited money with the first opposite party, Trust. However, when the complainant demanded back the said amount with interest, the opposite parties did not refund the amount. Therefore, the complainant filed a petition before the District Legal Services Authority as PLP No.2833/22, which was settled in the Lok Adalath dated 11.02.2023, directing the respondents therein to pay Rs.4,20,000/- within six months, failing which the said amount would carry interest @6% per annum. Since the opposite parties did not comply with the direction in the award, the complainant filed the above complaint alleging deficiency in service against the opposite parties.

3. The opposite parties entered appearance and filed version. The opposite parties also filed I.A.No.111/2024 challenging the maintainability of the complaint, which was dismissed by the District Commission as per order dated 02.07.2024, against which this revision petition has been filed.



4. The respondent filed objection. However, since there was no representation for the respondent, this Commission as per proceedings dated 18.12.2025, appointed Advocate N.G. Mahesh as the amicus curiae to argue the case for the respondent.

5. Heard the learned counsel for the revision petitioners and the learned amicus curiae. Perused the records including the objection filed by the respondent.

6. It is admitted in paragraph 11 of the complaint that the complainant had approached the Lok Adalath for the redressal of his grievance and in the Lok Adalath, the matter was settled, and an award was passed. It is discernible from paragraph 12 of the complaint that the present complaint was necessitated owing to the failure on the part of the opposite parties to comply with the directions contained in the award.

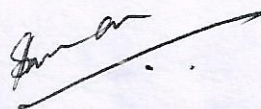
7. The learned counsel for the revision petitioners has submitted that since an award was passed by the Lok Adalath in respect of the dispute which is the subject matter before the District Commission, the District Commission was not justified in holding that the complaint was maintainable. The learned counsel for the revision petitioners relied on the decision of the Hon'ble Supreme Court in Dilip Mehta v. Rakesh Gupta reported in 2025 KHC OnLine7672 to buttress his submission.



8. It appears from Section 21 of the Legal Services Authorities Act, 1987, that an award made by a Lok Adalath shall be final and binding on all the parties to the dispute and no appeal shall lie to any court against such award. In *Dilip Mehta v. Rakesh Gupta* (supra), the Hon'ble Supreme Court held that where an award is made by a Lok Adalath in terms of the settlement between the parties, it is final and binding and executable as a decree and no appeal would lie against it. The Hon'ble Supreme Court further held that any challenge to such an award must be brought before the High Court under Article 226 and 227 of the Constitution of India on limited grounds such as lack of consent, jurisdiction, error or fraud.

9. The above settled law would make it clear that once an award is passed by the Lok Adalath, that award settles the dispute between the parties fully and finally, and no appeal shall lie against such an award. Section 21(1) of the Legal Services Authorities Act, 1987 makes it clear that every award passed by a Lok Adalath shall be deemed to be a decree of a Civil Court. Since the award passed by Lok Adalath is a deemed decree, it can be executed before a Civil Court as if it were a decree.

10. In this case, after becoming a party to an award, the complainant approached the Consumer Commission for the purpose of agitating the dispute again, for the reason that the direction in the award



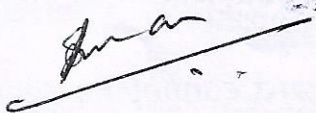
was not complied with by the opposite parties. If the directions in the award are not complied with by the opposite parties, the only remedy available to the complainant is to seek execution of the award in accordance with law. Therefore, filing a complaint before the Consumer Commission for that purpose cannot be justified.

11. The learned amicus curiae has submitted that all the opposite parties in the complaint were not parties before the Lok Adalath and hence the present consumer complaint is perfectly maintainable. We have considered the said submission anxiously. There can be no room for doubt that the entire dispute the complainant had in connection with the deposit of the amount with the first opposite party was settled, and an award was passed by the Lok Adalath. Since the entire dispute raised by the complainant was settled in the Adalath, the same dispute cannot be triggered again before any Forum as a fresh dispute in view of Section 21 of the Legal Services Authorities Act, 1987, which makes it clear that once an award is passed, it is final and conclusive. The complainant was admittedly a party to the award. Therefore, the award as regards the complainant is final, as is clear from Section 21 of the Legal Services Authorities Act, 1987. For the said reasons, the submission of the learned amicus curiae in this regard cannot be accepted. Since the entire dispute



raised by the complainant was settled in the Adalath, the present complaint filed by the complainant on the strength of the same dispute is not maintainable.

12. The learned amicus curiae has further submitted that, in view of Section 100 of the Consumer Protection Act, 2019, the consumer complaint filed by the complainant is maintainable, as the provisions under the Consumer Protection Act, 2019 are in addition to and not in derogation of any other law. Section 100 of the Consumer Protection Act is applicable only when there exists a dispute between the parties. In this case, after passing the award by the Lok Adalath, the dispute ceased to exist. Once the dispute ceases to exist by settlement, there cannot be any deficiency in service or unfair trade practice. Therefore, the complainant cannot thereafter be permitted to file a complaint before the Consumer Commissions alleging deficiency in service or unfair trade practice, by taking shelter to the provisions under Section 100 of the Consumer Protection Act, 2019. For the said reasons, the submission in this regard advanced by the learned amicus curiae is devoid of merits. Since the dispute ceased to exist, the present complaint filed by the complainant is not maintainable.



13. Having gone through the relevant inputs as discussed above, we are of the considered view that the present complaint is not maintainable before the Consumer Commission and consequently, the District Commission was not justified in dismissing I.A.No.111/2024 holding that the complaint is maintainable. Therefore, the order passed by the District Commission suffers from illegality, impropriety and incorrectness, warranting interference by this Commission.

In the result, this revision petition stands allowed, order dated 02.07.2024 passed by the District Commission on I.A.No.111/2024 in C.C.No.351/2023 stands set aside and I.A.No.111/2024 stands allowed and the complaint stands dismissed as not maintainable.

Sd/-

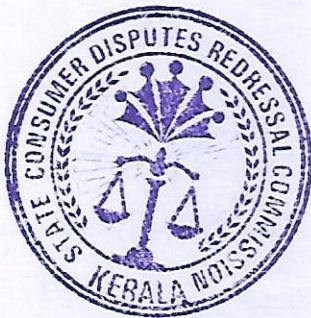
JUSTICE.B.SUDHEENDRA KUMAR : PRESIDENT

Sd/-

D.AJITH KUMAR: JUDICIAL MEMBER

Sd/-

SRI.K.R.RADHAKRISHNAN:MEMBER



Free certified copy

Serial No. of the Application _____

Date of receipt of Application _____

Name of the Applicant _____

Date of disposal 19.12.25

Date of Preparation of copy 9.1.26

Date of dispatch of free certified copy of order

By Hand 9.1.26

By Post _____

Secretary & Registrar