

CWP No. 14658 of 2013

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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CWP No. 14658 of 2013.
Date of Decision : 19.09.2015**

M/s Bharti Infrastructure Ventures Ltd. and another

...Petitioners

Versus

Permanent Lok Adalat and another

...Respondents

CORAM: HON'BLE MR. JUSTICE PARAMJEET SINGH

- 1) *Whether Reporters of the local papers may be allowed to see the judgment?*
- 2) *To be referred to the Reporters or not?*
- 3) *Whether the judgment should be reported in the Digest?*

Present: Mr. Vishal Gupta, Advocate for the petitioners.

Mr. Abhishek Singla, Advocate for the respondents.

Paramjeet Singh, J. (Oral)

The instant writ petition has been filed under Articles 226/227 of the Constitution of India for quashing the award dated 20.02.2013 (Annexure P-5) passed by the Permanent Lok Adalat, Faridkot.

Brief facts of the case are that Smt. Mukhtiar Kaur i.e. mother of respondent No. 2 Kabal Singh entered into an agreement dated

10.09.2006 with the petitioner company for installation of Mobile Communication Tower in her fields. Since the mother of the respondent No. 2 died on 30.06.2009, respondent No. 2 filed a petition before the Permanent Lok Adalat on the premise that the rent from 13.07.2010 till the date of filing of application was not paid. The Permanent Lok Adalat took up the matter and passed an award against the petitioner's company.

The matter is squarely covered by a judgment of this Court, ***Smt. Phool Kaur Vs. Permanent Lok Adalat, Gurgaon, Haryana and others, 2012(5) RCR(Civil) 124.*** This is an inter se dispute between the parties based on a contract which cannot be adjudicated by the Permanent Lok Adalat. In ***Smt. Phool Kaur's case(supra)***, so has been held.

In view of this, the impugned award dated 20.02.2013 (Annexure P-5) is hereby set-aside. However, the respondents will be at liberty to avail the remedies available to them in accordance with law.

Disposed of.

September 19, 2015.
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(PARAMJEET SINGH)
JUDGE