

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

127

Civil Writ Petition No.12795 of 2015

Date of Decision: July 23, 2015

Magma HDI General Insurance Company Ltd. F-14, First Floor Okhla Industrial Area, Phase-1, New Delhi and having its office at Magma House, 8 Sant Nagar, East of Kailash, New Delhi through its Legal Officer Sh. Ved Vyas Tripathi

...Petitioner

Versus

Permanent Lok Adalat, (Public Utility Services), Camp Court, Nuh through its Chairman and another

...Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Vishal Aggarwal, Advocate
for the petitioner.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Challenge in this writ petition is to the award dated 06.02.2015

(Annexure P-3) passed by the Permanent Lok Adalat, Public Utility Services, Nuh.

It is the contention of the counsel for the petitioner that the award passed by the Permanent Lok Adalat, is not sustainable, as the report of the Surveyor appointed by the company, has not been taken into consideration in the right perspective. The report of the Surveyor should have been given precedence over the other materials, which have been placed on record by respondent No.2. He contends that even the calculations, which have been made in the award, appear to be exaggerated in favour of respondent No.2 and, therefore, the said award deserves to be set aside.

I have considered the submissions made by counsel for the petitioner and have gone through the impugned award.

Perusal of para 6 of the award leaves no manner of doubt that the Permanent Lok Adalat in its award has taken into consideration the report of the Surveyor as also the evidence, which has been led by the respondent No.2-applicant. The details, with which the matter has been dealt with, shows that each and every aspect with reference to the Policy, has been taken note of and the amount, which has been computed ultimately to be payable by the petitioner, is fully justified.

No interference of this Court, therefore, in the award dated 06.02.2015 (Annexure P-3) passed by the Permanent Lok Adalat, Public Utility Services, Nuh, in exercise of its extraordinary writ jurisdiction, is called for, under Article 226 of the Constitution of India.

The writ petition is dismissed.

July 23, 2015
Puneet

(AUGUSTINE GEORGE MASIH)
JUDGE