

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

Civil Writ Petition No.16570 of 2014

Date of decision: 10.02.2015

Bharat Finance & Leasing Company, Jalandhar Road, Kapurthala
(Regd. Firm), through its Sole Proprietor-Shri Radha Krishan.

... Petitioner

versus

The Chairman, Permanent Lok Adalat (PUS), Kapurthala, and
another.

.... Respondents

CORAM: HON'BLE MR. JUSTICE K. KANNAN

Present: Mr. Vivek K. Thakur, Advocate,
for the petitioner.

None for the respondents.

1. Whether reporters of local papers may be allowed to see the judgment ? No.
2. To be referred to the reporters or not ? No.
3. Whether the judgment should be reported in the digest ? No.

K.Kannan, J. (*Oral*)

1. The Financier, who has seized the vehicle for non-payment, is confronted with an order issued by the Permanent Lok Adalat exercising jurisdiction under Article 22-C of the Legal Services Authority Act. The challenge by the Financier is that his service does not come within the definition of "Public Utility Service" as defined under Section 22-A(2) and consequently, the exercise of jurisdiction under Section 22-C is incompetent.

2. The respondents have been served, but there is no representation. I hold that the order cannot be supported, for, an act of seizure of the vehicle of an enforcement of contractual terms against a defaulter cannot be a matter of an adjudication by the Permanent Lok Adalat in the language employed by the definition of 'Public Utility Service'.

3. The order is incompetent and it is quashed. The writ petition is allowed.

(K.KANNAN)
JUDGE

10.02.2015
sanjeev