

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

(124)

CWP-13058-2017

Decided on: June 02, 2017.

S.B.I. General Insurance Co. Ltd.

.... Petitioner

Versus

The Permanent Lok Adalat for Public Utility (PUS) Bhiwani and anr.

..... Respondents

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

Present: Mr. H.P.S. Ghuman, Advocate, for the petitioner.

M.M.S. BEDI, J (ORAL)

Holding respondent No.2 entitled for the insurance claim of Rs.4,17,530/-, the Permanent Lok Adalat (Public Utility Services), Bhiwani has awarded compensation of Rs.1,34,915/- as the surveyor had assessed compensation to the tune of Rs.2,88,462/- only after deducting 10 percent, besides awarding interest at the rate of 9% per annum from the date of accident and litigation charge of Rs.3300/-.

I have heard learned counsel for the petitioner who has contended that application before the Permanent Lok Adalat (Public Utility Services), was not maintainable as the claim raised was for a sum of Rs.17,37,500/- whereas the Permanent Lok Adalat under second proviso of Section 22-C (I) of the Legal Services Authority Act, 1987, shall not have jurisdiction in the matters where value of the property in dispute exceeds ten lakh rupees and I am of the opinion that plea doubting the jurisdiction of the Permanent Lok Adalat, was not raised before it and the relief has not been granted beyond the jurisdiction vested in the Permanent Lok Adalat.

No ground is made out for interference.

However, I find substance in the contention of counsel for the petitioner that the interest has been permitted from the date of accident whereas the application was filed on 15.04.2015.

In case, said objection is raised before the executing Court, the executing Court will permit the interest w.e.f. 15.04.2015 instead of 30.05.2014.

(M.M.S. BEDI)
JUDGE

June 02, 2017
harsha

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No