

CWP-1366-2017

Date of Decision : 21.02.2017

Jai Deepak

.....Petitioner

versus

State of Punjab and others

....Respondents

CORAM : HON'BLE MR. JUSTICE M.M.S. BEDI**Present:** Mr. Arvind Kashyap, Advocate
for the petitioner.**M.M.S. BEDI, JUDGE (ORAL)**

Vide impugned order, the Permanent Lok Adalat has refused to exercise the powers to adjudicate the application of the petitioner under Section 22-C (8) of the Legal Services Authority Act, relegating the petitioner to avail the alternative remedy available to him.

Learned counsel for the petitioner submits that the Permanent Lok Adalat (Public Utility Services) has got jurisdiction to adjudicate the matter as dispute in the present case does not relate to any offence as mentioned in Section 22-C (8) of the Legal Services Authority Act.

I have heard learned counsel for the petitioner.

In the present case, petitioner had approached the Permanent Lok Adalat for a direction to the Jalandhar Improvement Trust to execute the sale deed in favour of the petitioner regarding the plot situated in the Development Scheme (Surya Enclave) G.T. Road, Bye Pass, Jalandhar by imposing the stamp duty and registration charges. But the Improvement Trust has taken up the stand that the petitioner has raised construction at the site and covered the front

house line which can not be compounded and the same is liable to be removed as per the bye-laws and that the petitioner has been asked to remove the construction and submit the completion plan so that further action can be taken on his application.

I have seen the controversy involved in the case in context to the provisions of Section 22-C and Section 22-A of the Legal Services Authorities Act. The nature of the dispute is such that it can neither be settled by any amicable agreement nor the petitioner can be permitted to enforce any legal right before the Permanent Lok Adalat. The petitioner is entitled to avail the other remedies available to him by either approaching the Civil Court or the competent authorities under any other Act.

The petition is dismissed.

(M.M.S. BEDI)
JUDGE

21.02.2017
Neha

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No