

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

**CWP No.19847 of 2016 (O&M)
Date of Decision:13.09.2017**

**Iffco Tokio General Insurance Co. Ltd.Petitioner
vs.**

Dharampal and anotherRespondents

CORAM: HON'BLE MR. JUSTICE RAKESH KUMAR JAIN

Present: Mr. Rajneesh Malhotra, Advocate for the petitioner.

Mr. A.P.S. Mann, Advocate for respondent No.1.

Rakesh Kumar Jain (Oral)

This petition is filed by the Insurance Company to challenge the order passed by the Permanent Lok Adalat (PUS) (for short, 'the Adalat), Narnaul dated 12.05.2016 by which it has decided the application filed under Section 22-C of the Legal Services Authority Act, 1987 (for short, 'the Act') filed by respondent No.1.

Learned counsel for the petitioner has argued that the Adalat has not even referred to evidence led by it in its conclusion. Moreover, it is also submitted that the Adalat has also not made any effort for conciliation which is the primary object of the provisions of Section 22-C(1)(7) of the Act.

Learned counsel for respondent No.1 except for supporting the order of the Adalat could not show that the Adalat has tried for a conciliation or opined about the deficiency of evidence led by the petitioner. Thus, in the aforesaid facts and circumstances, the impugned order is found to be patently erroneous and illegal and thus, the same is hereby set aside

and the matter is remanded back to the Adalat to decide it again in accordance with law. Parties are directed to appear before the Adalat on 03.10.2017.

September 13, 2017
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(Rakesh Kumar Jain)
Judge

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No