

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CWP No.2217 of 2014
Date of Decision.21.04.2017

State Bank of India

.....Petitioner

Vs

Manju Agarwal and another

.....Respondents

Present: Mr. Vikas Chatrath, Advocate
for the petitioner.

Mr. APS Dhillon, Advocate for
Mr. Kunal Dawar, Advocate
for respondent No.1.

CORAM:HON'BLE MR. JUSTICE AMIT RAWAL

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AMIT RAWAL J.(ORAL)

The grievance of the petitioner in the present writ petition is to the Award passed by the Permanent Lok Adalat in the application moved by one Manju Aggarwal.

The counsel for the petitioner though had appeared but in the meantime, the counsel had expired. The Permanent Lok Adalat could have issued a notice to the petitioner to make alternative arrangement owing to demise of the counsel appearing for the petitioner before it, which fact is also indicated in the impugned Award, instead of proceeding with the matter and passing the Award.

In view of the aforementioned fact, I am of the view that it is still in dilemma whether any conciliation proceedings as envisaged under sub-section 4 of Section 22-C of the Legal Services Authorities Act, 1987 in view of the judgment rendered by this Court in CWP No.11542 of 2015 decided on 05.08.2016 titled as "Vijay Pal Verma Vs. Permanent Lok Adalat and others" have been done or not, much less, the petitioner has been

prevented to put across a defence in support of stand taken before the authority.

Resultantly, the impugned order dated 14.08.2013 (Annexure P-9) is set aside and the matter is remanded back to the Permanent Lok Adalat to decide the matter afresh. The parties through their counsel are directed to appear before the Permanent Lok Adalat on 12.05.2017.

The writ petition is allowed in the above terms.

(AMIT RAWAL)
JUDGE

April 21, 2017
Pankaj*

Whether speaking/reasoned Yes

Whether reportable No