

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

(128)

CWP-3917-2017

Decided on: February 28, 2017.

Mahender Singh

.... Petitioner

Versus

State of Haryana and others

..... Respondents

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

Present: Ms. Meenakshi Poswal, Advocate, for the petitioner.

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

The petitioner claims that he has suffered loss on account of crops of Kharif 2013 having been damaged on account of over flow of water from the pond. He approached the Permanent Lok Adalat (Public Utility Services) Fatehabad. His claim has been rejected on the ground that the Permanent Lok Adalat cannot grant any relief having no jurisdiction and on account of want of sufficient evidence regarding sowing of the cotton, gowar and groundnut in the fields during Kharif 2013 and compromise having not been effected.

I do not find any infirmity in the order passed by the Permanent Lok Adalat (Public Utility Services), Fatehabad but since the said Court has held that it did not have any jurisdiction, it is ordered that the order dated 28.01.2015 being without jurisdiction will not prejudice the right of the petitioner to claim damages by approaching appropriate forum including the Civil Court. By safeguarding the rights of the petitioner, the impugned order is held without jurisdiction to enable the petitioner to avail the remedy as mentioned hereinabove.

Disposed of with above observation.

**(M.M.S. BEDI)
JUDGE**

February 28, 2017

harsha

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No