

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No 10356 of 2015

Date of Decision: 18.04.2018

M/S DEEPIT REAL ESTATE PRIVATE LTD.

... Petitioner

VS.

***PERMANENT LOK ADALAT, PUBLIC UTILITY SERVICES,
FARIDABAD AND OTHERS***

...Respondents

CWP No 18726 of 2015

M/S DEEPIT REAL ESTATE PRIVATE LTD.

... Petitioner

VS.

***PERMANENT LOK ADALAT, PUBLIC UTILITY SERVICES,
FARIDABAD AND OTHERS***

...Respondents

CORAM: HON'BLE MR. JUSTICE RAKESH KUMAR JAIN

Present: Mr. Ashish Gupta, Advocate,
for the petitioner.

Mr. Hemant Saini, Advocate,
for respondents No. 2 to 4..

RAKESH KUMAR JAIN (ORAL)

This order shall dispose of two writ petitions bearing CWP No. 10356 of 2015 and CWP No. 18726 of 2015 with the same title i.e. M/s Deepit Real Estate Pvt. Ltd Vs. Permanent Lok Adalat, Public Utility Services, Faridabad and Others as the issue involved in both the petitions is common.

In brief, the petitioner has filed two applications under Section 22-C (8) of Legal Services Authorities Act, 1987 (hereinafter referred to as the 'Act') before the Permanent Lok Adalat, PUS, Faridabad. Both The applications of the petitioner, however, were rejected on the ground that the value of the jurisdiction of the Permanent Lok Adalat was to entertain the

CRM-M-905-2016 (O&M) and CRM-M-3138-2016 (O&M)

applications was only to the value of ₹ 25 Lakhs whereas the value of the property involved in the cases in hand was much more than that.

Learned counsel for the petitioner has attached a notification dated 20.03.2015 issued by Ministry of Law and Justice as per which the pecuniary jurisdiction of Permanent Lok Adalat has been enhanced to ₹ 1 Crore and has submitted that the matters may be remanded back to the Permanent Lok Adalat, PUS, Faridabad to decide the issue raised by the petitioner on merits because value of the property involved in each case is less than ₹ 1 Crore.

Learned counsel for respondents No. 2 to 4 has not raised any serious objection in this regard and has also agreed that the orders of the Permanent Lok Adalat may be set aside and the matter may be remanded back to consider the applications of the petitioner if the value of the property is within the pecuniary jurisdiction of the Permanent Lok Adalat. He has however, submitted that the possession of the property in question has already been delivered to the petitioner.

Be that as it may, keeping in view the aforesaid facts and circumstances, the present petitions are allowed and the impugned orders in both the petitions are hereby set aside. The Permanent Lok Adalat, PUS, Faridabad is directed to consider the application of the petitioner filed under Section 22-C of the Act in accordance with law.

Parties are directed to appear before the Permanent Lok Adalat, PUS, Faridabad, on 14.05.2018.

April 18, 2018

Ess Kay

**[RAKESH KUMAR JAIN]
JUDGE**

***Whether speaking / reasoned* : Yes / No**

***Whether Reportable* : Yes / No**