

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No. 3907 of 2015 (O&M)

Date of Decision: 05.07.2018

BALDEV SINGH AND ANOTHER

...Petitioners

VS.

PERMANENT LOK ADALAT (PUS), SIRSA AND OTHERS **...Respondents**

CORAM: HON'BLE MR. JUSTICE RAKESH KUMAR JAIN.

Present: Mr. Sanjiv Gupta, Advocate,
 for the petitioners.

 Mr. Saurabh Mohunta, DAG, Haryana.

 Mr. A.S. Khosa, Advocate,
 for Mr. G.S. Kaura, Advocate,
 for respondent No. 2.

 Mr. S.S. Siao, Advocate,
 for respondent NO. 3

RAKESH KUMAR JAIN, J. (ORAL)

 This petition is directed against the order dated 20.02.2015
passed by the Permanent Lok Adalat (PUS), Sirsa.

 Learned counsel for the petitioners has submitted that the
impugned order has been passed without impleading them as party though
aspersion has been made against the petitioner that the pole in dispute has
been shifted with their connivance.

 Learned counsel for the respondents could not defend the
arguments raised by the learned counsel for the petitioner and therefore, I am
of the considered opinion that the Permanent Lok Adalat (PUS), Sirsa has
committed patent error in passing the impugned order against the petitioner,
violating the salutary principles of natural justice which says that nobody
should be condemned unheard. Consequently, present petition is hereby
allowed and the impugned order dated 20.02.2015 is set aside. However, the

matter is remanded back to the Permanent Lok Adalat, Sirsa to re-decide the application filed by Malkit Singh after impleading both the petitioners as respondent No. 4 and 5 and after giving them an opportunity of hearing to defend themselves.

Parties are directed to appear before Permanent Lok Adalat (PUS), Sirsa on 31.07.2018.

July 5, 2018

Ess Kay

(RAKESH KUMAR JAIN)
JUDGE

Whether speaking / reasoned :	✓ Yes	/	No
Whether Reportable :	Yes	/	No