

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

LPA-60-2016 (O&M)

Date of Decision: September 13, 2018

Oriental Bank of Commerce

.....Appellant

Versus

The Permanent Lok Adalat for Public Utility Services Narnaul and others

.....Respondents

**CORAM: HON'BLE MR.JUSTICE SURYA KANT
HON'BLE MR. JUSTICE SUDIP AHLUWALIA**

Present: Mr.Raj Kumar, Advocate for the appellant.

Mr.S.K.Yadav, Advocate for respondent Nos.2 to 4.

Mr.Ram Avtar, Advocate for respondent No.5.

.....

SURYA KANT, J.(ORAL)

This *Intra-Court* appeal challenges the order dated 30.10.2015 whereby learned Single Judge dismissed the appellant's writ petition challenging the Award of Permanent Lok Adalat (Public Utility Services), Narnaul on the ground that the controversy involved in the instant case was covered by an earlier decision of the learned Single Judge dated 19.09.2015 rendered in CWP-7031-2014 (**The Branch Manager, Bajaj Allianz Life Insurance Co. Ltd. and another vs Gurdarshan Singh and another**).

[2] In **The Branch Manager, Bajaj Allianz Life Insurance Co.Ltd. and another** (supra), the issue before the learned Single Judge was whether Permanent Lok Adalat (Public Utility Services) was competent to pass the Award and if so, subject to what limitations? Learned Single Judge held and rightly so that the Permanent Lok Adalat (Public Utility Services)

was competent to pass the Award in the given facts and circumstances.

[3] However, it appears that the learned Single Judge ought to have briefly noticed the facts of the case in hand including the plea taken by the Insurance Company as well as the appellant-Bank and thereafter only it could be said that the Award of Permanent Lok Adalat passed, in the facts and circumstances of the case in hand, is fully justified and that the principles laid down in The Branch Manager, Bajaj Allianz Life Insurance Co.Ltd. and another (supra) were fully applicable. Since this aspect of the matter has not been dealt with, we allow the appeal in part; set aside the order under appeal dated 30.10.2015 and remit the case to the learned Single Judge to deal with the issues on merits arising in the instant case, however broadly on the principles that the Permanent Lok Adalat (Public Utility Services) is competent to pass such like Awards.

[4] The parties are directed to appear before the learned Single Judge on 23.10.2018. The proceedings initiated by the Bank before DRT shall remain stayed till the matter is decided by learned Single Judge.

(SURYA KANT)
JUDGE

September 13, 2018
meenuss

(SUDIP AHLUWALIA)
JUDGE

1. Whether speaking/reasoned ?	Yes/No
2. Whether reportable ?	Yes/No