

CWP No. 37323 of 2019

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 37323 of 2019
Date of decision: 20.12.2019

Lajja Ram

.....Petitioner

V/s.

Permanent Lok Adalat, Rupnagar and others

.....Respondents

CORAM: - HON'BLE MR. JUSTICE SANJAY KUMAR

Present: - Mr. K.S. Sandhu Advocate,
for the petitioner.

Sanjay Kumar, J. (Oral)

The petitioner in this case assails the provisional notice of assessment issued by the Punjab State Electricity Board on 19.03.2018 (Annexure P-11) and also the order dated 24.10.2019 (Annexure P-15) passed by the Permanent Lok Adalat, Rupnagar.

Perusal of the impugned notice dated 19.03.2018 reflects that the Punjab State Electricity Board provisionally quantified the amount payable by the petitioner at ₹ 1,63,944/- and called upon him to submit his objections, if any, within seven days. The notice further stated that after analyzing his reply, he would be provided a personal hearing, if required, within a time frame and only thereafter, the final order of assessment would be passed.

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Admittedly, the petitioner did not choose to submit any objections or seek a personal hearing pursuant to the aforestated notice. He chose to challenge the said notice before the Permanent Lok Adalat, (Public Utility Services), Rupnagar, by filing an application under Section 22-C of the Legal Services Authority Act, 1987.

Perusal of the impugned order dated 24.10.2019 passed by the Permanent Lok Adalat demonstrates that the matter was settled with the consent of the petitioner, who seems to have stated that in the event the Board agreed to receive the remaining amount of ₹1,03,944/- within two months from that day, he would withdraw the case. The Permanent Lok Adalat accordingly closed the case recording the said statement made by the petitioner. Significantly, the petitioner affixed his signature in the said order in proof of his accepting the undertaking given by him.

Having invited the aforestated consent Award from the Permanent Lok Adalat, it is not open to the petitioner to try to back out or assert that he wishes to withdraw his consent. Though Mr. K.S.Sandhu, learned counsel for the petitioner, would assert that the petitioner is illiterate and he should be permitted to do so, the very fact that he chose to personally appear before the Permanent Lok Adalat and give an undertaking under his own signature demonstrates that he was mindful of his rights and he was not under any disadvantage, whereby he can now seek to withdraw his consent.

Be it viewed from any angle, neither the challenge to the impugned notice dated 19.03.2018 nor the challenge to the impugned order dated 24.10.2019 passed by the Permanent Lok Adalat, Rupnagar, warrant

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consideration on merits.

The writ petition is devoid of merit and is accordingly dismissed.

No order as to costs.

(SANJAY KUMAR)
JUDGE

20.12.2019

rakesh

whether speaking/non speaking : Yes/no

whether reportable/non reportable : Yes/no