

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.12078 of 2017 (O&M)

Date of Decision:28.02.2020

M/s Vatika Limited

.....Petitioner

Versus

Presiding Officer, Permanent Lok Adalat and another

..... Respondents

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr.Jai Singh Yadav, Advocate
for the petitioner.

Mr. Amit Jain, Advocate
for respondent no.2.

LISA GILL, J(Oral).

This writ petition is filed by the petitioner being aggrieved of Award dated 28.02.2017 (Annexure P-5), passed by the Permanent Lok Adalat, Public Utility Services, Gurgaon, on the ground that the Permanent Lok Adalat, did not have the pecuniary jurisdiction to entertain the matter.

Respondent no.2, had approached the Permanent Lok Adalat, being aggrieved of the action of the present petitioner for not handing over the possession of the shop, which was originally allotted to her. Petitioner had unilaterally withdrawn the allotment and reallocated another shop in its place to her.

Learned Permanent Lok Adalat, vide impugned award dated 28.02.2017, allowed the application under Section 22-C of the Public Utility Services Authority Act, to the extent that possession of the unit/shop, which was allotted to respondent no.2, would be handed over to respondent no.2 and letter of re-allotment would not stand in its way.

Aggrieved therefrom, present writ petition has been filed by the petitioner, on the ground that the Permanent Lok Adalat, did not have the

pecuniary jurisdiction to adjudicate upon the dispute as the matter involved a sum of over ₹80,00,000/-.

I have heard learned counsel for the petitioner and have gone through the file with his assistance.

Learned counsel for the petitioner, is unable to deny that vide notification dated 20.03.2015, the pecuniary jurisdiction of the Permanent Lok Adalat, had been increased to ₹1 Crore. Application under Section 22-C of the Legal Services Authority Act, was filed by respondent no.2 on 12.04.2016. Therefore, the ground of lack of pecuniary jurisdiction, is not available to the petitioner.

Learned counsel for the petitioner has sought to raise some other grounds, specifically that the petitioner was at liberty to have re-allotted the plot/shop in question in terms of the agreement between the parties. Though, apart from the fact that he is unable to indicate the provision/justification for such a unilateral action by the petitioner, learned counsel for the petitioner is unable to deny that no such ground has in-fact been raised in this writ petition. Therefore, keeping in view the facts and circumstances of the case, I do not find any ground whatsoever to interfere in the impugned award dated 28.02.2017, passed by the learned Permanent Lok Adalat, Public Utility Services, Gurgaon.

No other argument has been raised.

Present writ petition is accordingly dismissed with no order as to costs.

28.02.2020
s.khan

[LISA GILL]
Judge

Whether speaking/reasoned : Yes/No.
Whether reportable : Yes/No.