

121

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CWP No. 26609 of 2021
Date of Decision: 23.12.2021

United India Insurance Co. Ltd.

-Petitioner

Versus

M/s Shiv Shakti and Mayank Munjal Poultry Farm and another
-Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Pavinder Singh Bedi, Advocate,
for the petitioner.

(Through V.C.)

RAJ MOHAN SINGH, J. (Oral)

Admittedly, the petitioner was proceeded against exparte before the Permanent Lok Adalat and exparte award to the tune of Rs.7 lacs along with interest @ 6% per annum from the date of filing of application till the date of passing of award i.e. 05.02.2021 was passed.

Other directions were also issued in respect of assessment of counsel fee etc. Thereafter, on the application filed by the petitioner, concession was given by the decree holder and the exparte award was set aside, subject to depositing of the awarded amount and interest in a fixed deposit. After computing the interest component, petitioner was

directed to pay an amount of Rs.8,50,000/- in the form of fixed deposit in the Executing Court and in such eventuality, the execution was not to be pressed by the decree holder. The award dated 05.02.2021 was accordingly set aside in view of aforesaid condition. Petitioner was required to do the needful within a specified period.

In my considered opinion, order dated 11.10.2021 passed by Permanent Lok Adalat (Public Utility Services), Kurukshetra is just and appropriate. No indulgence is called for, however, petitioner would be at liberty to comply with the order within a week from today.

In the event of non-compliance, the award shall be executed as a civil Court decree.

23.12.2021

Jyoti Sharma

**(RAJ MOHAN SINGH)
JUDGE**

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