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

CWP No. 17447 of 2022

Date of Decision: 08.08.2022

Punjab State Power Corporation Limited and others

-Petitioners

Versus

Presiding Officer, Permanent Lok Adalat and another

-Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Sanjeev Majra, Advocate,
for the petitioners.

RAJ MOHAN SINGH, J. (Oral)

Petitioners have assailed the order dated 15.04.2021 passed by respondent No.1 whereby the application filed by respondent No.2 under Section 22 (C) of the Legal Services Authorities Act, 1987 has been accepted and memo no.1125 dated 07.08.2020 issued by the petitioners in respect of theft of electricity has been set aside.

Admittedly, respondent No.2 is the allottee of Chamber No.203 in District Courts Complex, Faridkot. Raid was conducted in Chamber No.202 which was never allotted to respondent No.2.

Learned counsel for the petitioners submits that the Permanent Lok Adalat has no jurisdiction to entertain the application.

In view of parameters laid down in **Magadh Sugar & Energy Ltd. Vs State of Bihar and others, 2021 SCC Online SC 801**, an alternate remedy by itself does not divest the High Court under Article 226 of the Constitution of India in an appropriate case. Exceptions to the rule of alternate remedy arise where the writ petition has been filed for the enforcement of a fundamental right protected by Part III of the Constitution; there has been a violation of the principles of natural justice; the order or proceedings are wholly without jurisdiction or the vires of a legislation is challenged.

In the instant case, respondent No.2 is not the allottee of Chamber No.202 where the raid was conducted. The issuance of notice of theft of electricity in my considered opinion is without jurisdiction.

The objection with regard to jurisdiction of Permanent Lok Adalat cannot be entertained.

Dismissed.

08.08.2022

Jyoti Sharma

(RAJ MOHAN SINGH)
JUDGE

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| 1. Whether speaking/reasoned | : | Yes/No |
| 2. Whether reportable | : | Yes/No |