

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

212

Date of decision: 17.05.2023

CWP-2444-2017

DAKSHIN HARYANA BIJLI VITRAN NIGAM LTD AND ANR

.....Petitioners

VERSUS

PERMANENT LOK ADALAT (PUBLIC UTILITY SERVICES) NARNAUL  
AND ANOTHER

.....Respondents

(2)

CWP-2445-2017

DAKSHIN HARYANA BIJLI VITRAN NIGAM LTD AND ANR

.....Petitioners

VERSUS

PERMANENT LOK ADALAT (PUBLIC UTILITY SERVICES) NARNAUL  
AND ANOTHER

**CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ**

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Present: - Mr. Prateek Mahajan, Advocate with  
Mr. Jaskirat Singh, Advocate  
for the petitioner.

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**VINOD S. BHARDWAJ, J. (Oral)**

The present petitions raises a challenge to the order dated  
23.06.2016 (Annexure P-3) passed by the Permanent Lok Adalat (Public  
Utility Services), Narnaul in case bearing No. 139 of 22.03.2016 in CWP-

**CWP-2444-2017 & CWP-2445-2017**

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2444-2017 and case No. 137 of 22.03.2016 vide award of even date in CWP-2445 of 2017.

Learned counsel appearing on behalf of the petitioner contends that Permanent Lok Adalat (Public Utility Services), Narnaul had allowed the application filed under Section 22 (C) of the Legal Services Authorities Act, 1987 by placing reliance on a judgment of the High Court of Rajasthan which had in turn relied upon the judgment passed by the High Court of Madhya Pradesh. It is contended that the judgment passed by the High Court of Madhya Pradesh had since then been set aside by the Hon'ble Supreme Court and that similar issues had also come up for consideration in ***CWP-12268 of 2016*** titled as ***"Dakshin Haryana Bijli Vitran Nigam Limited and another versus Permanent Lok Adalat (Public Utility Services), Narnaul and Another"*** which was decided vide judgment dated 30.07.2018 and the award passed by the Permanent Lok Adalat (Public Utility Services), Narnaul had been set aside. He contends that the case in hand is squarely covered by the ratio of the aforesaid judgment as the ratio of the awards passed by Permanent Lok Adalat (Public Utility Services), Narnaul is same.

Even though the respondent was being represented by counsel, however, no one has come to represent the said respondent today. The details of the aforesaid writ petition had been duly mentioned even in the index of the present writ petition. There is nothing to controvert or to object that the aforesaid judgment is not applicable to the facts of the present cases. The writ petitions are accordingly allowed. The award dated 23.06.2016 in case bearing No. 139 of 22.03.2016 in CWP-2444-2017 and case No. 137 of

CWP-2444-2017 & CWP-2445-2017

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22.03.2016 in CWP-2445 of 2017 are accordingly set aside in view of the judgment dated 30.07.2018 titled as “*Dakshin Haryana Bijli Vitran Nigam Limited & another*” (*supra*).

(VINOD S. BHARDWAJ)  
JUDGE

MAY 17, 2023  
*Vishal Sharma*

Whether speaking/reasoned : Yes/No  
Whether Reportable : Yes/No