



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

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CWP-9946-2022 (O&M)**Date of decision: September 17, 2024**

Gurdeep Kaur

....Petitioner

Versus

Chairman, Permanent Lok Adalat and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ**Present:-** Mr. Ravi Gakhar, Advocate
for the petitioner.Mr. Ashwani Arora, Advocate with
Mr. Vipul Sharma, Advocate for respondents no. 4 and 5.

VINOD S. BHARDWAJ, J. (ORAL)

Present petition has been filed for quashing the impugned Award dated 01.10.2021(Annexure P-1) passed by the Chairman, Permanent Lok Adalat (Public Utility Services), SAS Nagar on an application moved under Section 22-C of the Legal Services Authorities Act, 1997 dated 19.1.2021 by respondents no. 4 & 5 on the ground that the compensation assessed has been apportioned equally amongst the mother, the widow and the minor daughter and that no share has been given to the unmarried dependent sister of the deceased.

There is no challenge to the award in so far as the quantification of compensation/damages is concerned. On being confronted with a specific issue pertaining to the Succession Act by which the parties have been governed, the deceased, Pardeep was survived by the Class-I legal heirs, the widow, the mother as well as the children and that a sister would not be a Class-I heir and would at best be a Class-II heir. Once a Class-I heir survives, Class-II heir

cannot claim apportionment of any compensation to herself. Learned counsel for the petitioner fairly concedes to the said position in law.

In view of the above, I find that the claim made in the present writ petition for apportionment of compensation also to the unmarried dependent sister is not supported in law. The mother may, if so advised, may distribute or allot her share of compensation to the unmarried sister. No further arguments have been addressed in the present writ petition.

In view of all that has been discussed above, the present petition is hereby dismissed.

CM-7187-CWP-2022

Since main petition is dismissed, the present application is rendered infructuous.

Disposed of accordingly.

September 17, 2024
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(VINOD S. BHARDWAJ)
JUDGE

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