

IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH

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CWP-15947-2021 (O&M).
Date of Decision: 26.02.2024.

BIMLA AND ANOTHER

... Petitioner(s)

Versus

PUBLIC UTILITY SERVICES, KARNAL AND ANOTHER

... Respondent(s)

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

PRESENT Mr. Sukhdeep Singh, Advocate, for the petitioner.

Mr. Alakh Bhatt, Advocate, for
Mr. Amandeep Vashisht, Advocate for respondent No.2.

VINOD S. BHARDWAJ, J (ORAL).

Challenge in present writ petition is to the award dated 04.03.2021 (Annexure P-5) passed by the Permanent Lok Adalat (Public Utility Services), Karnal, wherein the application under Section 22 –C of the Legal Services Authorities Act, 1987, filed by the petitioners seeking payment on account of death of their son has been dismissed on the ground that other Class-I heirs have not been impleaded as necessary parties in the said petition.

Learned counsel for the petitioner contends that the said factual finding recorded by the Permanent Lok Adalat (Public Utility Services), Karnal was incorrect inasmuch as the application for impleadment of the widow and son of the deceased had already been moved by the petitioners-

applicants before the Permanent Lok Adalat (Public Utility Services), Karnal on 04.03.2021 i.e. on the date of passing of the award itself.

Taking into consideration the submissions advanced and noticing that the petitioners-applicants had moved an application for impleadment of the other Class-I heirs i.e. the widow and son of the deceased as a party, the present writ petition is allowed. The award dated 04.03.2021 (Annexure P-5) passed by the Permanent Lok Adalat (Public Utility Services), Karnal, is set aside. Anju Gupta widow of the deceased and minor son Haridaan, who are said to be residing at House No.302, Sector 14, Urban Estate, Karnal, by the counsel for the petitioners, are ordered to be impleaded as a party-respondents. The Permanent Lok Adalat (Public Utility Services), Karnal shall issue notice to the newly added respondents (if no such application moved by the petitioners-applicants) and to proceed ahead in the matter after granting an opportunity of hearing to the newly added respondents and also to determine the claim, if any, that may be so raised by other Class-I heirs.

The present writ petition is allowed accordingly.

February 26, 2024
raj arora

(VINOD S. BHARDWAJ)
JUDGE

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