



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

210

CWP-15277-2018 (O&M)
Date of decision: 18.09.2024

Dr. Robin Kapoor (since deceased) Through LR Monika

...Petitioner

VERSUS

The Permanent Lok Adalat (Public Utility Services), SBS Nagar and others

...Respondents

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

Present :- Ms. Kudrat Sareen, Advocate for the petitioner.

Mr. Parvinder Singh, Advocate for respondent No.2.

Respondent No.3 already proceeded ex-parte.

Mr. Satpal Dhamija, Advocate for respondent No.4.

VINOD S. BHARDWAJ, J. (Oral)

A limited challenge has been made to the impugned award dated 28.04.2017 passed by the Permanent Lok Adalat (Public Utility Services), SBS Nagar in application No.10 of 2014 to the extent of the observation recorded in Paragraph No.14 of the said award extracted as under:-

“...xxx.... 1. Keeping in view of the facts and circumstances of the case, the respondent was required to be dealt with sternly so that faulty private medical profession was set right. ... xxx... It may not be in the interest of justice and fair play to direct his widow to pay for the sins of her husband...xxx ..”

Learned counsel for the petitioner contends that the observations that have been recorded are in the nature of demeaning remarks against the petitioner-Robin Kapoor (since deceased)/husband of Smt. Monika, and that she does not intend to challenge the final award in any



manner whatsoever and that she is only perturbed by the above said remarks that have been recorded in the award. She contends that expunging of the above said remarks would in no way have any material bearing on the final outcome of the award itself and that she also does not intend to lay any challenge to the conclusions drawn.

Learned counsel for the respondents graciously submit that they would have no objection to the expunction of the above said extract without prejudice to their rights and to the merits of their claim.

Learned counsel for the petitioner has no objection to the same.

The present petition is accordingly **partly allowed** and the averments as noticed in Paragraph No.14 of the award and extracted above may be deemed as expunged from the final award without any effect on the conclusion and the decree passed in the award and without prejudice to the rights of the respondent-applicants.

Learned counsel for the respondents have also informed that other respondent-Nirja Kapoor had also challenged the above said award vide CWP-13358-2017 which was dismissed by this Court vide order dated 09.08.2017 and the LPA-2010-2017 against the same is pending.

I am of the opinion that since the petitioner is not challenging the award or its merits, hence, the aforesaid fact may not have much effect on the prayer which is being made by the petitioner before this Court.

(VINOD S. BHARDWAJ)
JUDGE

18.09.2024
Mangal Singh

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