

2024:PHHC:161268



IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH.

109

CWP-20976-2024 (O&M).
Date of Decision: 03.12.2024.

RAMRATI

... Petitioner(s)

Versus

STATE OF HARYANA AND OTHERS

... Respondent(s)

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

Present: Mr. Sunil Kumar Pandey, Advocate,
for the petitioner.

VINOD S. BHARDWAJ, J. (ORAL)

Challenge in the present petition is to the award dated 21.03.2024 (Annexure P-4) passed by the Permanent Lok Adalat (Public Utility Services), ADR Centre, Bhiwani.

2 It has been argued by the learned counsel for the petitioner that the Permanent Lok Adalat (Public Utility Services), ADR Centre, Bhiwani, has dismissed the application filed by the petitioner under Section 22-C of the Legal Services Authorities Act, 1987, on the ground of delay, however, he was posed with the question as regards the maintainability of the proceedings before the Permanent Lok Adalat (Public Utility Services),

2024:PHHC:161268



Bhiwani when the matter came up for hearing before this Court on 24.09.2024.

3 The order dated 24.09.2024 reads thus:-

“Learned counsel appearing on behalf of the petitioner prays for some time to assist this Court on the following questions:

(i) Whether the Permanent Lok Adalat (Public Utility Services) could direct payment of a compensation under a State Scheme which has been discontinued?

(ii) Whether the claimant could plead consideration of the case despite it being delayed and cognizance being barred under the terms of the Scheme? and

(iii) As to whether a State Welfare Scheme would fall under the Public Utility Services; for which Permanent Lok Adalat (Public Utility Services) would be a competent authority to adjudicate?

On request, adjourned to 15.10.2024.”

4 Having availed opportunities to address the above issues, learned counsel for the petitioner fairly concedes that he could not find any law to dispel the questions posed to him. He, however, contends that on account of the findings recorded against him, he is precluded from taking recourse to other efficacious remedies as well. He thus contends that he may be permitted to withdraw the complaint/application with liberty to take recourse to the appropriate remedies available in accordance with law and

2024:PHHC:161268



the period spent in pursuing the said remedy may be considered for exclusion while computing the limitation.

5 In view of above, the present petition is disposed and the prayer made today in the Court is allowed. The petitioner is permitted to withdraw the complaint/application before the Permanent Lok Adalat (Public Utility Services), Bhiwani. He shall, however, be at liberty to take recourse to his alternative remedies. The period spent in pursuing the remedies before the Permanent Lok Adalat (Public Utility Services), Bhiwani, shall be taken into consideration as and when an appropriate petition/application is filed before any Forum.

December 03, 2024.
raj arora

(VINOD S. BHARDWAJ)
JUDGE

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