

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

235(3)

CWP-23770-2021 (O&M)
Date of decision: 29.02.2024

Suresh Kumar Dhir ...Petitioner

VERSUS

Presiding Officer, Permanent Lok Adalat (Public Utility Services), Ludhiana
and others ...Respondents

CWP-1894-2022 (O&M)
Date of decision: 29.02.2024

Arun Kapoor ...Petitioner

VERSUS

Presiding Officer, Permanent Lok Adalat (Public Utility Services), Ludhiana
and others ...Respondents

CWP-1775-2022 (O&M)
Date of decision: 29.02.2024

Ajit Kumar ...Petitioner

VERSUS

Presiding Officer, Permanent Lok Adalat (Public Utility Services), Ludhiana
and others ...Respondents

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

Present :- Ms. Shivya Sehgal, Advocate for the petitioner
(in all three cases).

Mr. Abhimanyu Kalsy, Advocate for respondent No.2
(in all three cases).

Mr. Sehajbir Singh, Advocate and
Mr. Baltej Walia, Advocate for respondents No.3 and 4
(in all three cases).

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VINOD S. BHARDWAJ, J. (Oral)

1. The writ petitions have been filed against the order dated 20.09.2021 passed by the Permanent Lok Adalat (Public Utility Services), Ludhiana, vide which the applications preferred by the applicants-petitioners for impleadment as party have been dismissed.

2. Since three applications have been dismissed by the Permanent Lok Adalat (Public Utility Services), Ludhiana, by a similar order on the same date, hence, three different petitions have been filed by the petitioners that are being taken up together. Facts are however, being extracted from **CWP-23770-2021** titled as '**Suresh Kumar Dhir Vs. Presiding Officer, Permanent Lok Adalat (Public Utility Services), Ludhiana and others**'.

3. Learned counsel for the petitioner contends that the petitioner claims to be a tenant in the premises, for which an application for release of electricity connection has been moved by respondent No.2-applicant. She fairly concedes that even though the application in question relates to release of electricity connection, for which the petitioner may not be a necessary party, however, the petitioner may be a proper party since he also raises a claim as an occupier of the premises and needs to be heard.

4. The counsel appearing on behalf of the contesting respondent(s) contends that under the garb of the above said application, the petitioner intends to raise disputes as regards the title and validity of the transfer

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documents in favour of respondent No.2-applicant, which such issues cannot be enquired into or be committed upon by the Permanent Lok Adalat (Public Utility Services), under Section 22-C of The Legal Services Authorities Act, 1987 and such declaration of rights can only be granted by the Civil Court.

5. The above said objection raised by learned counsel for the contesting respondent(s) is put to rest by the learned counsel for the petitioner by contending that she does not intend to raise the dispute as regards the title and validity of the transfer documents before the Permanent Lok Adalat (Public Utility Services) and has grievance only with respect to the release of electricity supply to the premises in question and that she would confine her dispute to the said aspect only. Learned counsel for the petitioner is not in a position to rebut or refute that the Permanent Lok Adalat (Public Utility Services), Ludhiana, has no jurisdiction to decide the question of title.

6. Learned counsel for respondent No.2-applicant fairly concedes that in view of the aforesaid statement, he would have no serious objection to the applicant-petitioner being impleaded as a party in the ongoing proceedings before the Permanent Lok Adalat (Public Utility Services), Ludhiana.

7. Without going into the merits of the case and with the consent of the parties and in light of the statement recorded above in the present order, applications for impleadment of the petitioners as a respondent in the

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proceedings instituted by respondent No.2-applicant before the Permanent Lok Adalat (Public Utility Services), Ludhiana, in respective cases are **allowed**. The petitioner shall file his response within a period of 01 month of the date next fixed before the Permanent Lok Adalat (Public Utility Services), Ludhiana, and may be granted an opportunity to participate in the conciliation proceedings with the respondent-Department, before adjudication.

8. The rest of the proceedings shall be undertaken and be completed expeditiously and preferably within a period of 04 months from the receipt of certified copy of this order.

9. All the three petitions stand **disposed of**.

(VINOD S. BHARDWAJ)
JUDGE

29.02.2024

Mangal Singh

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