

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

2024:PHHC:158360-DB



LPA No.2999 of 2024
Date of Decision:28.11.2024

Patiala Urban Planning and Development AuthorityAppellant

Versus

Permanent Lok Adalat and anotherRespondents

Coram: **Hon’ble Mr. Justice G.S. Sandhawalia**
 Hon’ble Mrs. Justice Meenakshi I. Mehta

Present:- Mr. D.V. Sharma, Senior Advocate, with
 Mr. Tushar Sharma, Advocate, for the appellant.

G.S. Sandhawalia, J. (Oral)

1. The present appeal is directed against the order dated 16.10.2024 passed in CWP No.18690 of 2024 whereby the learned Single Judge declined to interfere in the order dated 09.02.2023 (Annexure P-8) passed by the Permanent Lok Adalat (Public Utility Services), Patiala vide which the application filed by respondent no.2 under Section 22(C) of the Legal Services Authorities Act, 1987 has been allowed and the refund has been directed along with interest @ 9% with effect from the date of filing due to delay in delivery of possession of flat and the payments of Rs.25,000/- as compensation for harassment etc. and Rs.5,000/- towards legal expenses were also awarded.

2. *De hors* the reasoning given by the learned Single Judge, it is a matter of fact that the allotment of flat as such was to an EWS candidate and an effort was made by the Permanent Lok Adalat to settle the matter but the appellant, being a statutory

authority, had chosen to offer a refund only of Rs.3,66,312/- instead of

Rs.4,20,208/-, which was claimed. It is also recorded in the award that no photograph of the site was placed on record by the appellant evidencing that the construction of the flats has begun, what to talk of completion and in such circumstances, the Permanent Lok Adalat had rightly directed the refund along with interest while keeping in mind that the allotment was done jointly by the appellant who had also raised the demand of additional amount.

3. The learned Single Judge has given valid reasons while dismissing the writ petition and partly setting aside the award of the Permanent Lok Adalat qua compensation and legal expenses in view of the judgment of the Apex Court noticed in the case of “**Greater Mohali Area Development Authority through its Estate Officer versus Permanent Lok Adalat and another**” in CWP-2626-2018 decided on 12.03.2024.

In view of the above, we find no merit in the present appeal and hence, the same is hereby dismissed.

(G.S. Sandhawalia)
Judge

November 28, 2024
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(Meenakshi I. Mehta)
Judge

Whether Speaking:	Yes
Whether Reportable:	No