



CWP-18891-2021

-1-

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**

(211)

CWP-18891-2021

Date of decision:- 13.11.2025

Madhu Jain

... Petitioner

Versus

Permanent Lok Adalat (Public Utility Services), Ludhiana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Rishab Garg, Advocate
for the petitioner.

Mr. Gagneshwar Walia, Advocate
for respondents No.2 and 3.

SUVIR SEHGAL, J. (ORAL)

1. Petitioner has approached this Court, *inter-alia*, for issuance of a writ, in the nature of certiorari, for setting aside award dated 29.08.2019, Annexure P-5, passed by Permanent Lok Adalat (Public Utility Services), Ludhiana (for short "PLA"), respondent No.1, whereby petition filed by him has been dismissed.

2. Mr. Rishab Garg, Advocate, counsel for the petitioner submits that petitioner deposited the requisite premium and purchased a policy, Magnifier Investment Fund Option, with 100% allocation from insurance company-respondents No.2 and 3. Counsel asserts that without consent of petitioner, insurance company allotted units to Magnifier Investment Fund Option and made deductions in the shape of expenses etc. Counsel points out that petitioner objected to the switchover and served a legal notice,

**CWP-18891-2021****-2-**

Annexure P-2. She approached PLA by filing a petition, Annexure P-1, under Section 22-C of the Legal Services Authority Act, 1987 (for short “Act of 1987”). It has been contended that petition has been dismissed by PLA vide impugned award by erroneously coming to the conclusion that controversy cannot be decided in a summary manner.

3. While supporting the impugned award, Mr. Gagneshwar Walia, Advocate, counsel for the respondents No.2 and 3 has argued that as complicated questions were involved, which required elaborate evidence, PLA was not the proper forum to adjudicate the dispute. He submits that while dismissing the petition, PLA has granted liberty to the petitioner to avail remedy for redressal of her grievance before an appropriate forum in accordance with the law.

4. After having heard counsel for the parties and considering their submissions, this Court is of the view that the impugned award cannot be sustained and matter deserves to be remitted to the PLA. While distinguishing the powers conferred upon a Lok Adalat constituted under Section 19 of the Act of 1987 from the nature of powers granted to a PLA established under Section 22-B, *ibid*, Supreme Court in **Canara Bank Versus J. S. Jayarama, 2022 SCC OnLine SC 656**, has held that PLA can perform adjudicatory functions. Examining the provisions of the statute, Apex Court clarified that PLA would first conduct conciliation proceedings and make an attempt to assist the parties to reach at an amicable settlement of the dispute. However, if the parties fail to arrive at an agreement, PLA shall decide the dispute as long as the dispute does not relate to an offence. Supreme Court indicated that Section 22-D, *ibid*, further shows that PLA has been empowered to determine the dispute on merits. PLA is, therefore,



CWP-18891-2021

-3-

bound to determine the dispute on merits after adhering to the provisions of the Act of 1987.

5. Reliance placed by PLA upon a judgment by a co-ordinate Bench of this Court in M/s Malibu Estates Pvt. Ltd. Versus Permanent Lok Adalat and another, 2017 (3) PLR 483, is misplaced. An examination of the judgment shows that this Court found that there was a serious dispute with regard to the sale price and possession of a plot allotted to the applicant. In this background, this Court came to the conclusion that as detailed evidence is to be led, appropriate remedy available to the aggrieved party was to invoke Section 39 of the Specific Relief Act, 1963 or any other appropriate measure. This judgment is clearly not attracted to the facts of the present case. As held by the Supreme Court in Canara Bank's case (supra), PLA has been conferred with powers to determine the dispute on merits and impugned award dismissing the petition cannot be sustained.

6. For the reason recorded above, impugned award, Annexure P-5, is set aside. Matter is remitted to PLA to decide it afresh while complying with the procedure laid down by the Act of 1987.

7. Writ petition is disposed of.

8. Parties are directed to appear before the PLA, Ludhiana on 15.12.2025, at 10:00 A.M., for further proceedings in accordance with law.

(SUVIR SEHGAL)
JUDGE

13.11.2025
kamal

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No