2026:AHC:208519

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - C No. - 40437 of 2026

Hakim Chandra Yadav

.....Petitioner(s)

Versus

Presiding Officer, Asthai Lok Adalat And 3 Others

.....Respondent(s)

Counsel for Petitioner(s) : Rajjan Singh Yadav
Counsel for Respondent(s) :

Court No. - 36

HON'BLE SAURABH SHYAM SHAMSHERY, J.

1. Heard Sri Rajjan Singh Yadav, learned counsel for the petitioner.

2. The claimants (respondent nos.2 to 4) have filed a case before the Permanent Lok Adalat, Jaunpur alleging that on 1.4.2025 around 12 Noon, when the wife of respondent no.2 was returning from field, she got electrocuted by the naked wire which was lying in the field of the petitioner and she died.

3. A Case Crime No.108/2025 under Section 106 (1) of B.N.S. was lodged against the petitioner where the petitioner is an accused and after investigation, charge-sheet has been filed and cognizance has also been taken.

4. Respondent nos.2 to 4 have claimed compensation of Rs.1,60,000/- along with 12 percent interest.

5. Permanent Lok Adalat issued notice to the petitioner to file objection mainly on a ground that a criminal case has already been lodged against the petitioner wherein after investigation, charge-sheet has been filed and according to Section 22-C (1) of Legal Services Authority Act, 1987, (hereinafter referred to as 'Act of 1987') dispute in regard to non-compoundable offence cannot be adjudicated, therefore, jurisdiction was challenged. No other grounds were mentioned in the objections.

6. Aforesaid objections were considered by the Permanent Lok Adalat and by the impugned order dated 13.,8.2026, it was rejected on a ground that it is not a case where the claimants have asked to interfere with criminal proceedings, rather they have asked for compensation since allegedly the death of wife of respondent no.2 occurred due to carelessness of the petitioner. Secondly, since the matter was proceeded substantially where

evidence was also taken on record, therefore, an application filed at a very belated stage was also rejected on same grounds.

7. Learned counsel for the petitioner submitted that there were other grounds for objection that the subject matter will not fall within the public utility services as defined under Section 22-A(b) of the Act of 1987, though the said objection was not taken during hearing nor in the objections filed before the Permanent Lok Adalat.

8. After hearing learned counsel for the petitioner at length and after perusal of records, Court is of opinion that reason for rejection of objection that proceedings would be barred before the Permanent Lok Adalat since criminal case was pending where non-compoundable offence was involved would not survive since it relates to compensation and it does not relate to criminal proceedings.

9. So far as other grounds mentioned in the impugned order is concerned that matter has substantially progressed is also not being denied.

10. Last argument of learned counsel for the petitioner is that occurrence would not fall within the public utility services, as defined under Section 22-A of the Act is concerned, is left open and at appropriate stage, said objection can still be considered, if specifically taken.

11. This writ petition is **disposed of** with an observation that in case, such objection is raised then same may be considered in view of judgments passed by Supreme Court in **United India Insurance Company Limited Vs. Ajay Sinha & Anr, (2008) 7 SCC 454 and Bar Council of India Vs. Union of India, (2012) 8 SCC 243.**

(Saurabh Shyam Shamshery,J.)

October 6, 2026
SB

Digitally signed by :-
SANDEEP BHATTACHARYA
High Court of Judicature at Allahabad