



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**BENCH AT AURANGABAD**

**45 WRIT PETITION NO. 4083 OF 2018**

ASSISTANT ENGINEER MAHARASHTRA STATE ELECTRICITY  
DISTRIBUTION COMPANY LTD AURANGABAD AND ANOTHER

**VERSUS**

RAJU DATTATRAY SHINDE

...

Mr. Sanjay V. Mundhe, Advocate for the Petitioners.

Mr. Y. D. Kale and Mr. S. B. Sonawane, Advocate for Respondent.

...

**CORAM : SIDDHESHWAR S. THOMBRE, J.**

**DATE : 5<sup>th</sup> MAY 2026**

**PER COURT :**

1. Heard the learned counsel for the parties.
2. By the present petition, the petitioners are assailing the order dated 19.05.2017 passed by the learned Permanent Lok Adalat, Aurangabad in Pre-litigation Dispute No.69/2016, whereby compensation was awarded to respondent.
3. Learned counsel for the petitioners submits that the complaint itself was not maintainable before the Permanent Lok Adalat. He points out that the claimant is not consumer of the petitioners-company and an accident occurred in which the irrigation pipeline and his sugar cane crop caught fire where there was no fault on the part of the petitioners. He submits that the respondent had alternate remedy under Section 162 of

the Electricity Act, 2003. The Talathi, who carried out the Panchanama to assess the damages was not empowered to do so. The Permanent Lok Adalat grossly erred in granting excessive compensation along with interest. Therefore, he submits that the orders passed by the Permanent Lok Adalat is liable to be set aside.

4. In support of the said contention, he invited my attention to Sections 22A, 22B and 22C of the Legal Services Authorities Act, 1987 by pointing out that the Permanent Lok Adalat does not have the jurisdiction to entertain the dispute.

5. Mr. Y. D. Kale and Mr. S. B. Sonawane, learned Advocates for the respondent support the impugned order by contending that the Permanent Lok Adalat was empowered to entertain the dispute. The respondent had produced the record of 7/12 and bills issued by the sugar cane factory of Baramati Agro along with bill of drip irrigation system dated 12.06.2014, considering which the Permanent Lok Adalat granted appropriate amount of compensation.

6. I have gone through Section 22A(a), which reads as under:-

***“22A. Definitions.—In this Chapter and for the purposes of sections 22 and 23, unless the context otherwise requires,—***

*(a) “Permanent Lok Adalat” means a Permanent Lok Adalat established under sub-section (1) of section 22B;*

*(b) “public utility service” means any—*

*(i) transport service for the carriage of passengers or goods by air, road or water; or*

*(ii) postal, telegraph or telephone service; or*

***(iii) supply of power, light or water to the public by any establishment; or***

*(iv) system of public conservancy or sanitation; or*

*(v) service in hospital or dispensary; or*

*(vi) insurance service,*

*and includes any service which the Central Government or the State Government, as the case may be, in the public interest, by notification, declare to be a public utility service for the purposes of this Chapter.”*

7. The bare perusal of the provision shows that the petitioners fall under category mentioned in Section 22A(b)(iii) as the petitioners provide service of supply of power, light. Therefore, in my opinion, the claim/complaint filed by respondent before the Permanent Lok Adalat is maintainable.

8. As regards the quantum is concerned, the Permanent Lok Adalat considered the Panchanama dated 22.05.2015 prepared by Talathi, bill of drip irrigation system, bank statement along with selling price of sugar cane for the previous year and granted compensation to the respondent. The Permanent Lok Adalat has recorded well reasoned findings to Issue Nos.1 to 6 in affirmative, thereby granting compensation of Rs.85,000/- along with 9% interest p.a. from 01.07.2015 till its realisation. In my considered view, the said compensation is reasonable considering the losses sustained by the respondent. The respondent is a poor farmer and his livelihood is dependents on farming. Therefore, I do not find any reason to interfere with the orders dated 19.05.2017

passed by the learned Permanent Lok Adalat, Aurangabad.

9. Hence, the petition is dismissed. No orders as to costs.

**[ SIDDHESHWAR S. THOMBRE ]**  
**JUDGE**

*Tauseef*