



CWP-14490-2026

-1-

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

136

CWP-14490-2026

Date of Decision: 11.05.2026

Greater Mohali Area Development Authority

...Petitioner

Versus

The Permanent Lok Adalat, S.A.S Nagar, Mohali and another

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - Mr. Bhanu Pratap Singh, Advocate for the petitioner

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Article 226 of the Constitution of India is seeking setting aside of order dated 03.12.2024 passed by learned Permanent Lok Adalat, S.A.S. Nagar (Mohali) (for short 'PLA') whereby application of respondent No.2 has been allowed to the extent that he is entitled to refund of ₹3,76,000/- along with additional sum of ₹25,000/- and ₹20,000/- towards mental harassment and legal costs respectively along with interest.

2. Respondent No.2-Dhumma Ram, pursuant to Scheme floated by petitioner, applied for 150 sq. yards plot in the Defence and Paramilitary Forces Category vide application dated 18.04.2018. He deposited a sum of ₹3,76,000/- in the petitioner's account. The petitioner repeatedly asked respondent to furnish proof of his residence in Punjab because as per terms and conditions mentioned in the brochure, application for allotment of plot under '*Reserved Category*' was permissible to residents of State of Punjab. There was further condition that applicant's spouse/dependent should not possess any plot/house anywhere in the country. The respondent failed to



furnish aforesaid documents, thus, he was not allotted plot. His claim was rejected vide letter dated 09.10.2019. He approached learned Permanent Lok Adalat, S.A.S. Nagar (Mohali) (for short 'PLA') which sought response of the petitioner. Matter was tried to be reconciled, however, was finally adjudicated on merits. Learned PLA rejected respondent's claim *qua* plot, however, directed petitioner to refund a sum of ₹3,76,000/- which was deposited by respondent No.2 at the time of filing application. The order of refund has been passed on the ground that there was no condition in the brochure which permitted the petitioner to withhold amount deposited by applicant. Learned PLA has further ordered to pay interest @ 8% per annum from the date of rejection of application till the date of actual realization. The respondent has been further awarded compensation of ₹25,000/- and litigation costs to the tune of ₹20,000/-.

3. Learned counsel for the petitioner pointed out Clause 6 of the title '*How to apply, draw dates, mode of intimation and waiting list*' of the brochure. He submits that as per said Clause, the petitioner was empowered to withhold application money deposited by respondent No.2.

4. Heard the arguments and perused the record.

5. The petitioner is relying upon Clause 6 of aforesaid title of the brochure which reads as:

“6. Submission of Documents: *Those applicants who are successful in the draw of lots will be required to submit documents with the Estate Officer, GMADA in person or through registered post by the date mentioned in the brochure. Any postal delay will not be entertained. The only proof of submission shall be the receipt issued by Estate Office, GMADA which shall be updated on the website www.gmada.gov.in. Applications for which supporting documents are not submitted by the applicants in time will be*



rejected and next applicant in the waiting list will be allotted the plot. No claims, whatsoever, shall be entertained thereafter.”

6. From the perusal of aforesaid Clause, it is evident that if any applicant fails to submit requisite documents, his application is liable to be rejected and the next applicant in the waiting list has to be considered. The applicant whose application is rejected cannot make claim. The claim is with respect to the plot which was allotted to him as a successful applicant. He, at a later stage, by submitting requisite documents cannot claim plot, however, said clause does not empower the petitioner to withhold/forfeit application fee. In the absence of any particular clause, the petitioner had no right to forfeit advance payment.

7. Section 22E of Legal Services Authorities Act, 1987 (for short ‘1987 Act’) provides that award passed by learned PLA shall be final and binding on all the parties. The award cannot be called in question in any original suit, application or execution proceedings. Section 22E reads as:

“22E. Award of Permanent Lok Adalat to be final

(1) Every award of the Permanent Lok Adalat under this Act made either on merit or in terms of a settlement agreement shall be final and binding on all the parties thereto and on persons claiming under them.

(2) Every award of the Permanent Lok Adalat under this Act shall be deemed to be a decree of a civil court.

(3) The award made by the Permanent Lok Adalat under this Act shall be by a majority of the persons constituting the Permanent Lok Adalat.

(4) Every award made by the Permanent Lok Adalat under this Act shall be final and shall not be called in question in any original suit, application or execution proceeding.

(5) The Permanent Lok Adalat may transmit any award made



by it to a civil court having local jurisdiction and such civil court shall execute the order as if it were a decree made by that court.”

8. It is factually and legally correct that award passed by learned PLA can be examined in writ jurisdiction, however, mandate of Section 22E cannot be ignored. The award can be examined in writ jurisdiction if there is manifest procedural or fundamental error or PLA has passed award beyond its jurisdiction. There is no such argument or allegation in the present case. Learned PLA has passed impugned order after following prescribed procedure and granting opportunity of hearing.

9. In the wake of above discussion and findings, this Court does not find any manifest factual or legal infirmity in the impugned order warranting interference. The petition deserves to be dismissed and accordingly dismissed.

(JAGMOHAN BANSAL)
JUDGE

11.05.2026
Mohit Kumar

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