

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 17156/2024

Jaipur Vidyut Vitran Nigam Limited

-----Petitioner

Versus

Kalyan Prasad S/o Shri Gangabishan and Ors.

-----Respondents

For Petitioner(s) : Mr. Rahul Tyagi

For Respondent(s) :

JUSTICE ANOOP KUMAR DHAND

Order

13/11/2024

1. Counsel for the petitioner submits that the incident of fire has not occurred at the site in question as alleged by the respondents, rather the incident of fire occurred at a distant place and immediately after receipt of the information, the electricity supply was closed by the petitioner-JVVNL, hence, there was no negligence on the part of the petitioner. This fact has been overlooked by the Permanent Lok Adalat by passing the impugned award against the petitioner.
2. Issue notice of the writ petition as well as the stay application to the respondents, returnable by 12.12.2024.
3. In case, the petitioner deposited the whole amount as awarded by the Lok Adalat within a period of three weeks from today, the execution of the award shall remain stayed.
4. After deposition of the entire amount, half of the amount be disbursed to the claimants, after taking undertaking from them that they would refund the amount

in case, the petition is allowed against them. Rest of the amount be kept in FDR.

5. If the amount in question is not deposited by the petitioner within the above stipulated time, the Executing Court would be at liberty to execute the order passed by the Permanent Lok Adalat.

6. This order will come into effect only after service of notice upon the respondents.

7. Notices be given 'dasti'.

8. Office is directed to send a copy of this order to the respondents along with notices.

9. The respondents would be at liberty to move application for recall of this order after service.

(ANOOP KUMAR DHAND),J