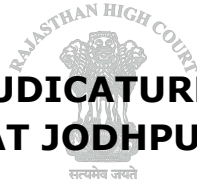


**HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JODHPUR**



S.B. Civil Writ Petition No.24714/2025
CNR: RJHC011117312025 | URN: CW / 44823U / 2025

State Of Rajasthan, Through Executive Engineer, Public Health
Engineering Department, Division, Merta.

-----Petitioner

Versus

1. Bhanwar Lal Jain S/o Late Shri Bheru Lal Jain, Aged About 67
Years, R/o Merta City, District - Nagaur.
2. Permanent Lok Adalat, Merta

-----Respondent



For Petitioner(s)

: Mr. Sajjan Singh Rathore, AAG with
Mr. Yuvraj Singh

For Respondent(s)

: Mr. Ravi Bhansali, Senior Advocate
assisted by Mr. Mohd. Aman
Mr. Bhanwar Lal Jain, respondent
No.1 present in person

JUSTICE ANOOP KUMAR DHAND

Order

11/08/2026

Reportable

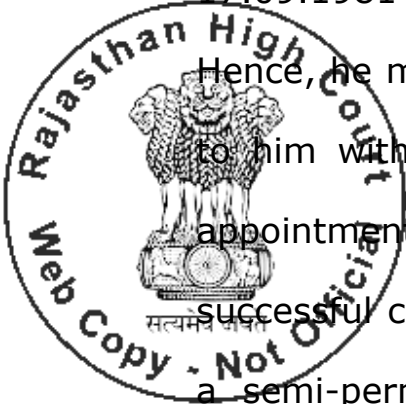
1. By way of filing the instant writ petition, a challenge has been led to the impugned award dated 17.09.2025 passed by the Permanent Lok Adalat, Merta, District Nagaur, in the Case No.1/2025, by which the application submitted by the respondent No.1 under Section 22B of the Legal Services Authorities Act, 1987, (for short "the Act of 1987"), has been allowed and the petitioner has been directed to grant all the service benefits to the respondent No.1 the from the initial date of his appointment, i.e., 04.04.1978.

2. The brief facts of the case are that the respondent No.1 submitted an application under Section 22-B of the Act of 1987 before the Permanent Lok Adalat, Merta indicating therein that he was appointed to the post of Helper on temporary basis vide order dated 04.04.1978, but his services were counted w.e.f. 17.09.1981 for the purpose of getting all the service benefits.

Hence, he made a prayer that all the service benefits be extended to him with effect from 04.04.1978, i.e., the date of his initial appointment. It has also been averred in the petition that after successful completion of two years of service, he was declared as a semi-permanent employee on the post of Store Munshi on 04.04.1980, and accordingly, the pay scale of the aforesaid post was granted to him.

3. Thereafter, when all the service benefits were not provided to the respondent No.1 with effect from the date of his initial appointment, he approached the Permanent Lok Adalat, Merta by way of filing an application under Section 22B of the Act of 1987 for granting him all the service benefits with effect from the date of his initial appointment i.e., 04.04.1978.

4. The aforesaid prayer of the respondent No.1 was opposed by the petitioner before the Permanent Lok Adalat, Merta and after considering the arguments of both the sides, the Permanent Lok Adalat, Merta, District Nagaur vide impugned award dated 17.09.2025 allowed the aforesaid application submitted by the respondent No.1 and issued directions to the petitioner to grant him all the service benefits from the date of his initial appointment i.e., 04.04.1978.



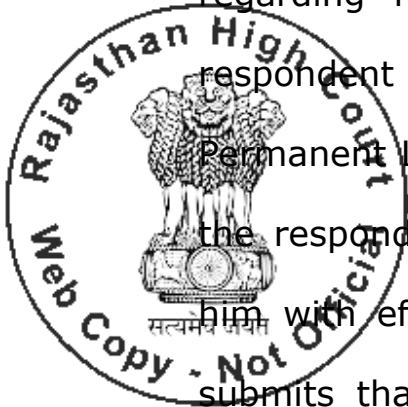
5. Feeling aggrieved by the aforesaid award dated 17.09.2021 passed by the Permanent Lok Adalat, Merta, the petitioner has approached this Court by way of filing the instant writ petition under Article 226 of the Constitution of India.

6. Learned counsel for the petitioner has raised an objection regarding maintainability of the application submitted by the respondent No.1 under Section 22B of the Act of 1987 before the Permanent Lok Adalat, Merta. He submits that the issue raised by the respondent No.1 was related to grant of service benefits to him with effect from his initial date of appointment. He further submits that the present issue relates to service matter which

could not be dealt with by the Permanent Lok Adalat. Learned counsel submits that the subject matter for which a grievance can be raised by an aggrieved person before the Permanent Lok Adalat by way of filing appropriate application are limited, as defined under Section 22A(b) of the Act of 1987. Learned counsel submits that overlooking this material aspect of the case, the application filed by the respondent No.1 was not only entertained but also allowed by the Permanent Lok Adalat, Merta by issuing the above-stated directions against the petitioner vide impugned award dated 17.09.2025. Hence, a prayer has been made to quash the impugned award.

7. The respondent No.1 has put in appearance in person and when he was apprised about the aforesaid legal issue, i.e., the maintainability of his application before the Permanent Lok Adalat, he was not in a position to satisfy this Court.

Looking to the fact that the respondent No.1, who is appearing in person, was not aware about the niceties and



technicalities of law and the maintainability of his application filed before the Permanent Lok Adalat, this Court deems it just and proper to request Mr. Ravi Bhansali, Senior Advocate, to assist the Court on behalf of the respondent No.1 and apprise the respondent No.1 about the legal issue involved in the instant writ petition.



8. Since, the respondent No.1 is convinced after discussing the matter with the Senior Advocate, on the legal issue involved in the instant petition, i.e., regarding the maintainability of his application filed under Section 22B of the Act of 1987 before the Permanent Lok Adalat, Merta, he requested this Court that liberty

be granted to him to pursue the matter before the Department. He has further requested that a direction be issued to the authorities concerned to look into his matter sympathetically and pass a reasoned order granting him all the service benefits.

9. Heard and considered the submissions made at the Bar and perused the material available on the record.

10. Considering the arguments put forward by learned counsel for the petitioner and looking to the fact that the respondent No.1 has submitted an application under Section 22B of the Act of 1987 before the Permanent Lok Adalat, Merta with a prayer for issuing direction to the petitioner to grant him all the service benefits from the date of date of his initial appointment, this Court finds that this matter pertains to granting of service benefits to the respondent No.1.

11. Now the question remains for consideration of this Court is as to whether the Permanent Lok Adalat can hear and decide the disputes pertaining to service matters.

12. It is significant to mention here that the Act of 1987 was enacted to constitute legal services authorities to provide free and competent legal services to the weaker sections of the society to ensure that opportunities for securing justice are not denied to any citizen by reason of economic or other disabilities, and to organize Lok Adalats to secure that the operation of the legal system promotes justice on a basis of equal opportunity.

13. Chapter VIA deals with the provisions and procedure of Pre-litigation conciliation and settlement.

14. Section 22A(b) of the Act of 1987 deals with the public utility services for which the jurisdiction of the Permanent Lok Adalat can be invoked.

15. Permanent Lok Adalats are established in terms of Section 22B of the Act of 1987, which reads as under:-

"22B. Establishment of Permanent Lok Adalats.—

(1) Notwithstanding anything contained in section 19, the Central Authority or, as the case may be, every State Authority shall, by notification, establish Permanent Lok Adalats at such places and for exercising such jurisdiction in respect of one or more public utility services and for such areas as may be specified in the notification.

(2) Every Permanent Lok Adalat established for an area notified under sub-section (1) shall consist of—

- (a) a person who is, or has been, a district judge or additional district judge or has held judicial office higher in rank than that of a district judge, shall be the Chairman of the Permanent Lok Adalat; and
- (b) two other persons having adequate experience in public utility service to be nominated by the Central Government or, as the case may be, the State Government on the recommendation of the Central Authority or, as the case may be, the State Authority,

appointed by the Central Authority or, as the case may be, the State Authority, establishing such Permanent Lok Adalat and the other terms and conditions of the appointment of the Chairman and other persons referred to in clause (b) shall be such as may be prescribed by the Central Government."

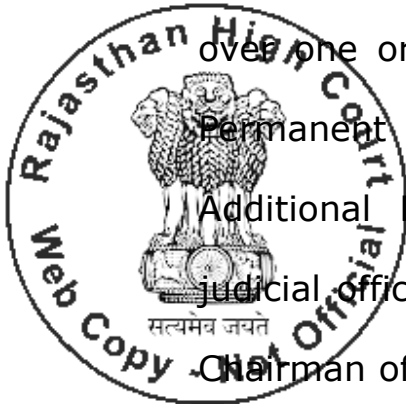
From a reading of the above provision, it is clear that the Permanent Lok Adalats are established to exercise jurisdiction over one or more public utility services. The constitution of the Permanent Lok Adalat indicates that the sitting District Judge or Additional District Judge, whether retired or serving, or any judicial officer higher in rank than the District Judge, shall be the Chairman of the Permanent Lok Adalat. Apart from that, two other persons having the adequate experience in Public Utility Services are part of the Permanent Lok Adalat.

16. It is also relevant to refer to Section 22-A of the Act of 1987, which defines Public Utility Services, which reads hereunder:-

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

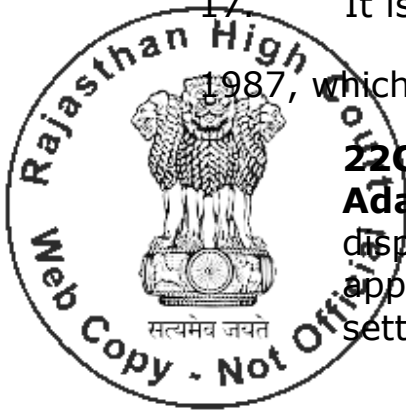
- (a) "Permanent Lok Adalat" means a Permanent Lok Adalat established under sub-section (1) of section 22B;
- (b) "public utility service" means any—
 - (i) transport service for the carriage of passengers or goods by air, road or water; or
 - (ii) postal, telegraph or telephone service; or
 - (iii) 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."



The above definition part indicates six notified services and also includes "any service" which the Central Government or the State Government, in the public interest, may declare by notification to be a public utility service for the purposes of the present Chapter.

17 It is also appropriate to refer to Section 22-C of the Act of 1987, which is hereunder:-



22C. Cognizance of cases by Permanent Lok Adalat.—(1) Any party to a dispute may, before the dispute is brought before any court, make an application to the Permanent Lok Adalat for the settlement of dispute:

Provided that the Permanent Lok Adalat shall not have jurisdiction in respect of any matter relating to an offence not compoundable under any law:

Provided further that the Permanent Lok Adalat shall also not have jurisdiction in the matter where the value of the property in dispute exceeds ten lakh rupees:

Provided also that the Central Government, may, by notification, increase the limit of ten lakh rupees specified in the second proviso in consultation with the Central Authority.

(2) After an application is made under sub-section(1) to the Permanent Lok Adalat, no party to that application shall invoke jurisdiction of any court in the same dispute.

(3) Where an application is made to a Permanent Lok Adalat under sub-section(1), it—

- (a) shall direct each party to the application to file before it a written statement, stating therein the facts and nature of dispute under the application, points or issues in such dispute and grounds relied in support of, or in opposition to, such points or issues, as the case may be, and such party may supplement such statement with any document and other evidence which such party deems appropriate in proof of such facts and grounds and shall send a copy of such statement together with a copy of such document and other evidence, if any, to each of the parties to the application;

(b) may require any party to the application to file additional statement before it at any stage of the conciliation proceedings;

(c) shall communicate any document or statement received by it from any party to the application to the other party, to enable such other party to present reply thereto.

(4) When statement, additional statement and reply, if any, have been filed under sub-section(3), to the satisfaction of the Permanent Lok Adalat, it shall conduct conciliation proceedings between the parties to the application in such manner as it thinks appropriate taking into account the circumstances of the dispute.

(5) The Permanent Lok Adalat shall, during conduct conciliation proceedings under sub-section(4), assist the parties in their attempt to reach an amicable settlement of the dispute in an independent and impartial manner.

(6) It shall be the duty of the every party to the application to cooperate in good faith with the Permanent Lok Adalat in conciliation of the dispute relating to the application and to comply with the direction of the Permanent Lok Adalat to produce evidence and other related documents before it.

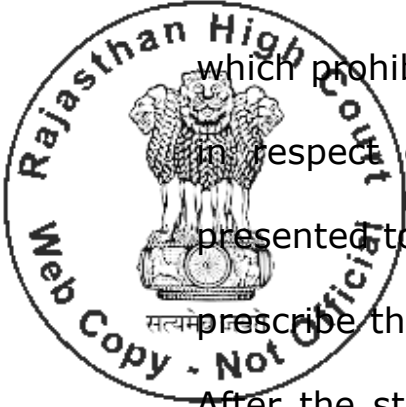
(7) When a Permanent Lok Adalat, in the aforesaid conciliation proceedings, is of opinion that there exist elements of settlement in such proceedings which may be acceptable to the parties, it may formulate the terms of a possible settlement of the dispute and give to the parties concerned for their observations and in case the parties reach at an agreement on the settlement of the dispute, they shall sign the settlement agreement and the Permanent Lok Adalat shall pass an award in terms thereof and furnish a copy of the same to each of the parties concerned.

(8) Where the parties fail to reach at an agreement under sub-section (7), the Permanent Lok Adalat shall, if the dispute does not relate to any offence, decide the dispute."



A glance at the above provision indicates that any party to a dispute may make an application to a Permanent Lok Adalat for the settlement of the dispute before it is brought before any court. There are restrictions on the exercise of jurisdiction

under these provisions. One of the restrictions is that the Permanent Lok Adalat shall not have jurisdiction over any matter relating to an offence that is not compoundable under any law. It also limits the pecuniary value of the property in dispute, and such value being subject to revision by the Central Government through notification. Another restriction is contained in sub-section (2), which prohibits any party from invoking the jurisdiction of a court in respect of the same dispute after an application has been presented to the Permanent Lok Adalat. The above provisions also prescribe the manner in which the application must be dealt with. After the statement, additional settlement, and reply, if any, are filed to the satisfaction of the Lok Adalat, it shall conduct conciliation proceedings between the parties to the application. If the Permanent Lok Adalat is of the opinion that there exists an element of settlement in such proceedings that may be acceptable to the parties, it must formulate the terms of a possible settlement and communicate them to the parties for their observations. If the parties reach an agreement on the settlement of the dispute, they shall be required to sign the settlement agreement, and the Permanent Lok Adalat shall pass an award in terms of the agreement and furnish a copy to each party. In the event that the conciliation proceedings fail to reach an agreement, the Permanent Lok Adalat shall, if the dispute does not relate to any offence, decide the dispute. This means that the Permanent Lok Adalat is required to decide the dispute on its merits if conciliation fails. However, it has no jurisdiction to decide disputes relating to any offence.



18. From a reading of the provisions referred to herein before, it is clear that the purpose of establishing the Permanent Lok Adalat is to exercise limited jurisdiction over one or more public utility services and not otherwise. The types of Public Utility Services have been enumerated with the power to the Central Government or the State Government to expand the definition of Public Utility Service to include any other services. The words "any party to a dispute" under Section 22-C of the Act of 1987 must be interpreted in the context of the jurisdiction for which the Permanent Lok Adalat has been established.



19. A bare perusal of the aforesaid provision clearly indicates that the jurisdiction of the Permanent Lok Adalat can be invoked only for the redressal of grievance which deals with "public utility services", as defined under Section 22A(b) of the Act of 1987.

20. Since the instant matter pertains to granting of service benefits to the respondent No.1 from the date of his initial appointment, the same does not fall within the purview of "public utility services", as defined under Section 22A(b) of the Act of 1987. Hence, under these circumstances, this Court is of the considered opinion that the Permanent Lok Adalat, Merta did not have any jurisdiction to entertain and decide the service matter submitted by the respondent No.1 before it by way of filing the application under Section 22A(b) of the Act of 1987. Thus, this Court finds that Lok Adalat has exercised a power/jurisdiction not vested in it.

21. On this count alone, the impugned award is found to be not sustainable in the eyes of law and the same is required to be and is hereby quashed and set aside.

22. Accordingly, the instant writ petition stands disposed of, while granting liberty to the respondent No.1 to submit appropriate application before the petitioner-authority for redressal of his grievances.

23. In case, any such application is submitted by the respondent No.1 within a period of one month from the date of receipt of certified copy of this order, it is expected from the petitioner-authority to hear and decide the same sympathetically and expeditiously, as early as possible, preferably within a period of two months thereafter, by passing a reasoned and speaking order.

24. If thereafter, the respondent No.1 feels aggrieved by not granting him the desired relief, he would be at liberty to approach the appropriate forum of law for redressal of his grievances.

25. All pending applications, if any, also stand disposed of.

(ANOOP KUMAR DHAND),J

