



2026:AHC-LKO:20050

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

MATTERS UNDER ARTICLE 227 No. - 952 of 2026

Faizabad Milk Producer Cooperative Union
Ltd. Thru. General Manager Ashish Kumar
Srivastava

.....Petitioner(s)

Versus

The Permanent Lok Adalat Barabanki Thru.
Chairman And 9 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Pankaj Patel
Counsel for Respondent(s)	:	Manish Jauhari

Court No. - 17

HON'BLE SUBHASH VIDYARTHI, J.

1. Heard Sri Sanjay Bhasin, Senior Advocate assisted by Sri Pankaj Patel, the learned counsel for the petitioner, Sri Manish Jauhari, the learned counsel for the opposite parties no.8 and 9 and perused the records.
2. By means of the instant petition filed under Article 227 of the Constitution of India the petitioner has challenged the validity of an award dated 24.07.2025, passed by the Permanent Lok Adalat, Barabanki in PLA Case No.39 of 2020.
3. At the outset the learned counsel for the petitioner has stated that he has erroneously impleaded the Permanent Lok Adalat as opposite party no.1 and he is not pressing the petition against the opposite party no.1 and it may be treated as deleted from the array of parties.
4. Briefly stated the facts of the case are that the opposite parties no.2 to 7 had filed a claim before the Permanent Lok Adalat stating that the husband of opposite party no.1 was working as a temporary guard in the cooling plant of the petitioner and he used to reside in the campus of the plant. While he had gone to take bath at tube well at about 9.00 a.m. on 12.12.2017, due to

negligence of the electricity department he died due to electrocution. It was stated in the claim petition that a representation has been given to the authorities of U.P. Power Corporation Limited for payment of compensation, but when no heed was paid by the Corporation, the claim was filed before the Permanent Lok Adalat. The claim has been awarded by means of the impugned award dated 24.07.2025, wherein it is stated that the petitioner has not filed any objection/written statement.

5. The Permanent Lok Adalat has held the petitioner liable for payment of Rs.7,45,000/- as compensation for death of deceased due to electrocution holding that he died due to negligence of the petitioner.

6. Assailing the validity of the aforesaid award, the learned counsel for the petitioner has submitted that from the averments made in the claim petition, it is apparent that the claimants had issued demand notice to the U.P. Power Corporation Limited and no demand has been raised from the petitioner. Even in the claim petition, the allegation was that the deceased had died due to electrocution because of negligence of U.P. Power Corporation Limited and no allegation was levelled against the petitioner. Therefore, the petitioner did not file any written statement. Although, no demand notice had been sent to the petitioner and no allegations had been levelled in the plaint filed before the Permanent Lok Adalat alleging that the deceased had died because of negligence committed by the petitioner and the petitioner would be liable to pay compensation for his death, the award has been passed against the petitioner.

7. The learned counsel for the petitioner has submitted that the petitioner has filed an application before the Permanent Lok Adalat seeking recall of the award dated 24.07.2025, a copy whereof has been filed as Annexure No.6 to the petition. The claimants have filed an application for execution of the award.

8. In these circumstances, it would be appropriate that the

Permanent Lok Adalat should decide the application for recall of the ex-parte award filed by the petitioner before proceeding to execute the award.

9. As the private opposite parties are unrepresented, notice is required to be sent to them.

10. Accordingly, issue notice to the opposite parties no.2 to 7 and 10, returnable at an early date.

11. The learned counsel for the petitioner shall take requisite steps in this regard within one week from today.

12. List this case as fresh after service along with service report.

13. It is clarified that the pendency of this petition should not be treated as stay of the hearing of recall application/execution proceedings.

March 19, 2026

Ram.

(Subhash Vidyarthi,J.)