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

(107)

CR-2136-2025

Date of Decision: - 05.04.2025

Dakshin Haryana Bijli Vitran Nigam and others**....Petitioners****Versus****Ashok Kumar****.....Respondent****CORAM : HON'BLE MR. JUSTICE VIKAS BAHL**

Present:- Ms. Vasundhra Asija Bhandari, Advocate
for the petitioners.

VIKAS BAHL, J. (ORAL)

1. Present civil revision petition has been filed under Article 227 of the Constitution of India against the order dated 10.08.2023 (Annexure P-1) passed by the Civil Judge (Jr. Division), Rewari and the order dated 22.11.2024 (Annexure P-2) passed by the Additional District Judge, Rewari, in which the application moved under Order 39 Rule 1 and 2 read with Section 151 CPC filed by the respondent/plaintiff seeking injunction has been allowed.

2. A perusal of the order dated 10.08.2023 would show that the trial Court had directed the petitioners to issue electricity connection in favour of the plaintiff within a period of one month. The appeal filed by the petitioners was also dismissed on 22.11.2024 and even in the said



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order, a direction was issued to the petitioners to provide electricity connection within a period of one month to the plaintiff.

3. On a pointed query raised, learned counsel for the petitioners has fairly submitted that in pursuance of the impugned order, the electricity connection has been issued to the plaintiff. In support of her arguments, learned counsel for the petitioners has relied upon a judgment of the Co-ordinate Bench of this Court in case titled as “**Navneet Kumar Vs. State of Haryana and others, passed in CWP-7311-2018, decided on 05.11.2024** to show that there are arguable points in favour of the petitioners in the present case. It is however prayed that in view of the fact that electricity connection has been issued, the trial Court be directed to decide the suit independent of the observations made in the impugned orders dated 10.08.2023 and 22.11.2024 and in case the suit of the plaintiff is dismissed, then, the petitioners be permitted to take necessary action in accordance with law against the plaintiff.

4. It is matter of settled law that the observations made in the order while deciding an application under Order 39 Rule 1 and 2 CPC are only for the purpose of deciding the said application and the suit is to be decided independently after considering the evidence led by both the parties, in accordance with law.

5. Keeping in view the above-said facts and circumstances and the fact that an electricity connection has already been issued in favour of the plaintiff and also keeping in view the prayer made by the learned counsel for the petitioners, the present revision petition is disposed of,

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while upholding the impugned orders, with the observation that the trial Court would decide the suit independent of the observations made in the impugned orders, after taking into consideration the evidence led by both the parties.

6. The interim direction issued in favour of the plaintiff with respect to electricity connection being given would be subject to the final decision of the civil suit.

April 05, 2025
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No