



CR No.2695 of 2025

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

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CR No.2695 of 2025
Date of Decision: 22.05.2025

M/s Ultratech Township Developers Pvt. Ltd.

..... **Petitioner**

Versus

Utri Haryana Bijli Vitran Nigam Ltd. and another

..... **Respondents**

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Vishal Jassal, Advocate
for the petitioner.

Mr. Jagdish Manchanda, Addl. A.G., Haryana
for respondents No.1 and 2.

VIKAS BAHL, J (ORAL)

1. This is a civil revision petition filed under Article 227 of the Constitution of India for setting aside the order dated 15.04.2025 (Annexure P-4) passed by the Additional District Judge, Karnal and order dated 21.10.2024 (Annexure P-2) passed by learned Civil Judge (Jr. Divn.), Karnal, whereby, the petitioner had been granted the interim relief with the condition to deposit 30% of the disputed amount within 14 days from the date of order i.e. 21.10.2024.

2. In a suit filed by the plaintiff, the trial Court vide order dated 21.10.2024 had granted ad interim injunction to the following effect:-

“Heard. Perusal of the record shows that the plaintiff has obtained the BDLs connection bearing account No.0525697329 and is dependent on the same. The plaintiff has been paying the



current cycle charges and the receipt of the same has been placed on record but is disputing the arrears/outstanding dues of Rs.15,59,919/- imposed by the defendants. As such, keeping in view the averments raised by both the parties, the defendants are hereby restrained from recovering the alleged outstanding amount and from disconnecting the electricity connection with the condition that the plaintiff shall deposit 30% of alleged outstanding amount of Rs.15,59,919/- within 14 days from the date of passing of this order. It is pertinent to mention here that upon failure of plaintiff to deposit the aforesaid amount within 14 days from the date of passing of this order, they shall not be entitled for any interim orders.

However, anything expressed herein above shall not be taken to be an expression of opinion on the merits of the case.

Now, the case is adjourned to 21.11.2024 for filing written statement and reply to injunction application on behalf of defendants”.

3. The petitioner filed an appeal against the said order which was dismissed on 15.04.2025. On 06.05.2025, this Court was pleased to pass the following order:-

*“Present:- Mr. Vishal Jassal, Advocate for the petitioner.
Mr. Jagdish Manchanda, Addl. A.G. Haryana
for respondent Nos.1 and 2.*

Inter alia contends that the petitioner would deposit 30% of the outstanding amount of Rs.15,59,919/- within a period of two weeks from today.

Notice of motion.

On the asking of the Court, Mr. Jagdish Manchanda, Addl. A.G. Haryana, accepts notice on behalf of respondent Nos.1 and 2 and waives service.

Adjourned to 22.05.2025.



To be shown in the urgent list.

The petitioner as undertaken before this Court would deposit 30% of the outstanding amount of Rs.15,59,919/- within a period of two weeks from today and would produce the receipt of the said deposit made with the competent authority at Karnal on the next date of hearing.

Till the next date of hearing, in case the electricity connection in question has not been disconnected, the same would not be disconnected.

It is made clear that in case the petitioner does not deposit the amount as undertaken before this Court within the aforesaid period, then the present revision petition would be liable to be dismissed”.

4. Learned counsel for the petitioner has submitted that in pursuance of the above order, the petitioner has deposited 30% of this outstanding amount of Rs.15,59,919/-. A photocopy of the receipt has also been produced by the petitioner with respect to the same which shows that an amount of Rs.4,67,975/- has been paid by the petitioner. The same is taken on record as mark ‘A’.

5. Learned counsel for the petitioner has further submitted that he has also deposited the current charges amounting to Rs.2,33,493/- and would also continue to pay the electricity charges regularly. It is submitted that the application under Order 39 Rule 1 and 2 is yet to be decided and thus till the time the said application is not decided, the interim injunction granted by the trial Court be continued.

6. Learned counsel for the State, on the other hand, has submitted that the present order should not be construed as an expression on the merits of the case and the trial Court should be directed to decide the application

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under Order 39 Rule 1 and 2 independently in accordance with law after taking into consideration the arguments raised by both the parties.

7. Keeping in view the above said facts and circumstances of the case, the present petition is disposed of with the following direction/observations:-

(i) The petitioner would continue to deposit the monthly electricity charges and the respondents are restrained from disconnecting the electricity connection in case the petitioner continues to deposit the monthly charges regularly and the same would be till the time the application under Order 39 Rule 1 and 2 is finally decided.

(ii) Further continuance/variance/modification/setting aside of the interim injunction would depend upon the final orders passed in the application under Order 39 Rule 1 and 2, which the trial Court would consider independently, after taking into consideration the pleadings of the parties and the arguments raised on behalf of both the parties.

(iii) The grant of interim injunction would not be construed as an expression on the merits of the case.

22.05.2025*D.Bansal***(VIKAS BAHL)
JUDGE**

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