



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

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CR No.4607 of 2023(O&M)
Date of Decision: 15.01.2025

Sushma Devi

...Petitioner

V/s

UHBVNL and others

...Respondents

CORAM : HON'BLE MR. JUSTICE VIKRAM AGGARWAL

Present: Mr. Puneet Kakkar, Advocate, for the petitioner.

Mr. Anil Chawla, Advocate, for the respondents.

VIKRAM AGGARWAL, J (ORAL)

1. The present revision petition is directed against the order dated 25.07.2023 passed by the Court of learned Addl. District Judge, Panipat, dismissing the appeal filed by the petitioner-plaintiff against the order dated 02.08.2022 passed by the Court of learned Addl. Civil Judge (Sr. Divn.), Panipat, vide which the application filed by the petitioner-plaintiff under Order 39 Rules 1 and 2 CPC read with Section 151 thereof for the grant of *ad interim* injunction was dismissed.

2. The facts, as emanating from the revision petition, are that a suit (Annexure P-1) for declaration to the effect that the energy bill dated 17.02.2021 amounting to Rs.97578/- and previous bills from 30.03.2017 to 30.01.2021 were against the meter account and a sum of Rs.97578/- was illegally being demanded, was filed by the plaintiff-petitioner. Along with the suit, there was an application for the grant of *ad interim* injunction. The suit was opposed by the respondents-defendants by way of written statement



(Annexure P-2), wherein certain preliminary objections regarding maintainability of the suit, *locus standi*, no cause of action etc. were raised. On merits, a stand was taken that the outstanding amount had correctly been shown.

3. Vide order dated 02.08.2022, the application for grant of *ad interim* injunction was dismissed. An appeal was preferred against the said order but the same was also dismissed by the first appellate Court vide order dated 25.07.2023 leading to the filing of the present revision petition.

4. I have heard learned counsel for the parties.

5. Learned counsel for the petitioner submits that both the Courts below have erred in rejecting the application for the grant of *ad interim* injunction. During the course of arguments, learned counsel submits that during the pendency of the suit, electricity connection of the petitioner was disconnected and the petitioner is willing to deposit some amount under protest, so that the electricity connection can be restored.

6. On the other hand, learned counsel representing the respondents submits that there is no illegality in the impugned orders and that, under the circumstances, no interference by this Court is called for.

7. I have considered the submissions made by learned counsel for the parties.

8. During the course of arguments, learned counsel for the petitioner has conceded that a sum of Rs.8 lakhs is stated to be outstanding, whereas, as per the petitioner, a sum of Rs.4 lakhs already stands deposited by her. However, the fact remains that the outstanding amount was not paid by the petitioner, on account of which the electricity connection was sought to be disconnected and ultimately during the pendency of the suit, the same was



disconnected. For the grant of interim injunction, the petitioner would have to prove a *prima facie* case in her favour, balance of convenience and that non-grant of injunction would cause irreparable loss and substantial injury to her. However, in the considered opinion of this Court, the petitioner was not able to prove even a *prima facie* case in her favour and no ground was made out to grant *ad interim* injunction to her. Both the Courts below also came to the conclusion that the petitioner had not been able to make out a *prima facie* case and, therefore, the question of grant of *ad interim* injunction did not arise. I do not find any illegality in the said decision rendered by the Courts below warranting interference in the original jurisdiction.

9. In view of the aforementioned facts and circumstances, I do not find any merit in the present revision petition and the same is accordingly dismissed.

Pending application, if any, shall also stand disposed of.

(VIKRAM AGGARWAL)
JUDGE

January 15, 2025

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No