



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

317

RSA-2803-2025 (O&M)
Date of Decision:08.12.2025

The Executive Engineer cum Principal Officer,
DHBVNL City Operation Division and others Appellant(s)

Versus

.... Respondent(s)

Prem Singh

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present: - Ms. Dheerja, Advocate for the appellants.

Mr. Tanmoy Gupta, Advocate for the respondent.

NIDHI GUPTA, J. (ORAL)

The appellant-defendants are in second appeal against the judgment and decree dated 29.04.2025 passed by learned Additional District Judge, Gurugram, whereby the appeal filed by the defendants was partly allowed.

2. Vakalatnama filed on behalf of the respondent in Court today is taken on record.

3. At the very outset, learned counsel for the appellants submits that the question of law involved in the present appeal as to whether jurisdiction of the Civil Court is barred in view of Section 145 of the Electricity Act, 2003, has since been decided by the Hon'ble Division Bench of this Court in **RSA-4181-2016**, titled as '**Mahesh Kumar vs. Sub Divisional Officer and Another**' vide judgment dated 14.05.2025.



4. In view of the above, the present second appeal is **allowed**, and the suit filed by the respondent-plaintiff stands dismissed on the ground of jurisdiction. However, the respondent-plaintiff is at liberty to take recourse to the appropriate remedy as available, in accordance with law.

5. It is made clear that any evidence recorded/observations made in the impugned judgments and decrees would not operate as *res judicata* in any subsequent proceedings initiated by the respondent-plaintiff.

6. Pending application(s), if any, stand(s) disposed of.

7. The Registry is directed to send a copy of this order to the respondent herein through Registered Post at his/her address as mentioned in the Memo of Parties.

08.12.2025

Divyanshi

**(NIDHI GUPTA)
JUDGE**

**Whether speaking/reasoned
Whether Reportable**

**Yes/No
Yes/No**