IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

323 **RSA-2554-2024 (O&M)**
Date of Decision: 27.11.2025

Uttar Haryana Bijli Vitran Nigam Limited and others …. Appellant(s)

Versus

Jagmender .... Respondent(s)

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present: - Mr. Madhur Singh, Advocate for the appellants.

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NIDHI GUPTA, J. (ORAL)

The appellant-defendants are in second appeal against the concurrent findings rendered by both the Courts below whereby the suit filed by the respondent-plaintiff, for declaration and permanent injunction, was partly decreed.

2. 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.

3. 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

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take recourse to the appropriate remedy as available, in accordance with law.

4. 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.

5. Pending application(s), if any, shall stands disposed of.

6. 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.

27.11.2025 **(NIDHI GUPTA)**
Divyanshi **JUDGE**

Whether speaking/reasoned Yes/No
Whether Reportable Yes/No

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