

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

123

2025:PHHC:091959



RSA No. 2859 of 2024 (O&M)
DECIDED ON: 24th July, 2025

Dakshin Haryana Bijli Vitran Nigam Ltd. and another
.....APPELLANTS

VERSUS

Rajesh Jain
.....RESPONDENT

CORAM: HON'BLE MS. JUSTICE **NIDHI GUPTA.**

Present: Mr. Madhur Singh, Advocate for appellants.

None for the respondent.

NIDHI GUPTA., J (ORAL)

1. The appellants/defendants have filed the present appeal against the concurrent findings of the learned Courts below whereby the suit filed by the respondent/plaintiff for declaration and permanent injunction has been 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 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.

24th July, 2025

reema

Whether speaking/reasoned

Whether reportable

Yes

No

(NIDHI GUPTA)

JUDGE