



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

306

RSA No.277 of 2025 (O&M)

Date of Decision: 20.01.2026

Dakshin Haryana Bijli Vitran Nigam Ltd. and Anr. Appellants

Versus

Pardeep Kumar Respondent

BEFORE: HON'BLE MS. JUSTICE NIDHI GUPTA

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

NIDHI GUPTA, J. (ORAL)

1. The appellants-defendants are in second appeal against the concurrent judgments and decrees rendered by both the Courts below whereby the suit for declaration and permanent injunction filed by the respondent-plaintiff was 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. Registry is directed to send a copy of this order at the address of the respondent, mentioned in the memo of parties.

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

20.01.2026
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(NIDHI GUPTA)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>