



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

307

RSA-1229-2022 (O&amp;M)

Date of Decision: 14.05.2026

Dakshin Haryana Bijli Vitran Nigam Ltd. &amp; Ors.

.... Appellants

Versus

Ram Pal

.... Respondent

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

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

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**NIDHI GUPTA, J. (ORAL)**

1. The appellants-defendants are in second appeal against the judgment of reversal dated 07.04.2022 passed by the learned Additional District Judge, Gurugram whereby the appeal filed by the respondent-plaintiff was allowed, setting aside the judgment and decree dated 08.08.2018 passed by the learned trial Court; and the suit for declaration & mandatory 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



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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.

6. Registry is directed to send a copy of this order through Registered Post to respondent-plaintiff/Ram Pal son of Sh. Ragbir Singh at the address mentioned in the Memo of Parties.

**14.05.2026**

*amit*

**( NIDHI GUPTA )  
JUDGE**

Whether speaking/reasoned  
Whether Reportable

Yes/No  
Yes/No

