



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

**232**

RSA-1621-2020 (O&M)

Date of Decision: 07.07.2025

Dakshin Haryana Bijli Vitran Nigam Ltd.

.... Appellant

Versus

Aryavir Arya

.... Respondent

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

Present: - Mr. BR Mahajan, Senior Advocate with  
Mr. SK Mahajan, Advocate for the appellant.

Ms. Shazia K. Singh, Advocate for the respondent.

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

1. The appellant-defendant No. 1 is in second appeal against the judgment and decree dated 24.01.2020, passed by the learned Additional District Judge, Gurugram, whereby its appeal against the judgment and decree dated 17.07.2019, passed by the learned trial Court in favour of the plaintiff-respondent was dismissed.

2. At the very outset, learned senior counsel for defendant No. 1-appellant 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. Learned counsel for the plaintiff-respondent does not dispute the aforesaid factual and legal position and submits that she has ‘no objection’, in case, the present second appeal is disposed of, in terms of judgment dated 14.05.2025 (supra).

4. In view of the above, the present second appeal is **allowed**, and the suit filed by the plaintiff-respondent stands dismissed on the ground of jurisdiction. However, the plaintiff-respondent 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 plaintiff-respondent.

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

**07.07.2025**  
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**( NIDHI GUPTA )**  
**JUDGE**

**Whether speaking/reasoned Yes/No**

**Whether Reportable Yes/No**