



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

112

RSA-5691-2019 (O&M)

Date of decision: 19.08.2025

UTTAR HARYANA BIJLI VITRAN NIGAM LTD. AND ANR**... APPELLANTS****VERSUS****RAJIV GUPTA****...RESPONDENT****CORAM: HON'BLE MR. JUSTICE PARMOD GOYAL**

Present: Mr. Anil Chawla, Advocate for the appellants.

None for the respondent.

PARMOD GOYAL, J. (Oral)

1. The defendants-appellants vide present Regular Second Appeal is challenging the judgment and decree passed by the First Appellate Court whereby its appeal was dismissed, and the judgment and decree passed by the Trial Court in favour of the plaintiff-respondent was affirmed.

2. Learned counsel for the defendants-appellants has argued that the question of law involved in the present appeal is as to whether jurisdiction of the Civil Court is barred in view of Section 145 of the Electricity Act, 2003. This question has since been decided by the Hon'ble Division Bench of this Court in **RSA-4181-2016**, titled as '*Mahesh Kumar Versus Sub Divisional Officer and Another*' vide judgment dated 14.05.2025 in favour of appellant, and therefore appeal be allowed. Hon'ble Division Bench has held that in matters under Electricity Act, Civil Court Jurisdiction is barred.

3. Learned counsel for the plaintiff-respondent does not dispute this factual position.



4. In view thereof, the present appeal is allowed, and the suit filed by the plaintiff-respondent stands dismissed on the ground of jurisdiction. However, the plaintiff-respondent would have the liberty to avail the remedies as available in 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 applications, if any, also stands disposed off.

(PARMOD GOYAL)
JUDGE

19.08.2025

Kusum

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