



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

141

CR-4601-2025

Date of decision: 21.07.2025

Dakshin Haryana Bijli Vitran Nigam Limited and Another ...Petitioners

Versus

Parmod Kumar Bansal

...Respondent

CORAM: HON'BLE MRS. JUSTICE SUDEEPTI SHARMA

Present: Mr. Sachit Khurana, Advocate for the petitioners.

SUDEEPTI SHARMA, J. (ORAL)

1. Present revision petition has been filed under Article 227 of the Constitution of India, against the order dated 13.08.2024 (Annexure P-4) passed by the learned Civil Judge (Junior Division), Gurugram in case bearing No.CS/2407/2024 titled as “Parmod Kumar Bansal Vs. SDO(OP), Sub Division, IBC, DHBVN & Another” and for setting aside the order dated 01.02.2025 (Annexure P-6) passed by the learned Additional District Judge, Gurugram in case bearing No.CMA-202-2024 titled as “Dakshin Haryana Bijli Vitran Nigam Limited Vs. Parmod Kumar Bansal”, whereby, the appeal filed by the petitioners was dismissed.

2. Learned counsel for the petitioners contends that the right to electricity is not a fundamental right and the learned Additional District Judge, Gurugram vide impugned order dated 01.02.2025 has allowed to release the electricity connection to the respondent who is plaintiff in the main suit.

3. I have heard the learned counsel for the petitioners and have



perused the file with his able assistance.

4. It would be apposite to reproduce the relevant portion, which is as under:-

“Moving onto the next question, that of balance of convenience or comparative hardship or mischief or inconvenience which is likely to occur from that holding the injunction will be greater than that would be likely to arise from granting it. In the present factual matrix, plaintiffs averred that they are poor who are devoid of basic amenity of life i.e. electricity, which is very essential in today's life. They further stated that since they are owner in possession, electricity becomes part and parcel of bundle of rights that emanates from ownership. Per contra, no hardship/inconvenience could be seen on defendants'side in releasing the connection. Perhaps, going into argument pertaining to illegal construction of flats in violation of building code of 2017 and violation of circulars would straight away tantamount to commenting upon merits of the suit. Hence, in present case, greater balance of convenience lies in granting the electricity connection than holding it.”

5. A perusal of the above shows that Ld. Civil Judge (Junior Division), Gurugram has rightly observed that electricity which is one of the essential requirements and basic amenities of life is required to be provided.

6. Further, in the appeal filed against the order dated 13.08.2024 before Ld. Additional District Judge, Gurugram is also rightly dismissed on the same ground and liberty is granted to the petitioners to take indemnity



bonds from the respondent.

7. In view of the above, I do not find any merit in the present revision petition which calls for no interference of this Court in revisional jurisdiction and the same is accordingly dismissed.

21.07.2025

Yogesh

**(SUDEEPTI SHARMA)
JUDGE**

**Whether speaking/reasoned:-
Whether reportable:-**

**Yes/No
Yes/No**