



RSA-525-2020 (O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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RSA-525-2020 (O&M)

Date of Decision: 12.08.2025

Uttar Haryana Bijli Vitran Nigam Ltd.

.... Appellant

Versus

Rekha Rani

.... Respondent

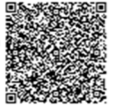
CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present: - Mr. R.S. Longia, Advocate for the appellant.

NIDHI GUPTA, J. (ORAL)

1. The appellant-defendant is in second appeal against the concurrent findings rendered by both the Courts below whereby the suit filed by the respondent-plaintiff, for declaration to the effect that the demand notices vide memos no.1033 and 1034 dated 05.07.2017 and LL-I report dated 01.07.2017 are totally illegal, null and void, arbitrary; **and** further decree for permanent injunction restraining the defendants from recovering the amount of Rs.82,464/- as electricity charges and Rs.10,000/- as compounding fee except the current electricity charges consumed by the plaintiff **and** also restraining the defendants forever from disconnecting the electricity supply of connection bearing No.KZ28/1887 of the premises of the plaintiff, was decreed.

2. At the very outset, learned counsel for the 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



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Bench of this Court in **RSA-4181-2016**, titled as '**Maresh 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 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.

12.08.2025
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(NIDHI GUPTA)
JUDGE

Whether speaking/reasoned **Yes/No**

Whether Reportable **Yes/No**