



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

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Regular Second Appeal No.967 of 2021 (O & M)

Date of decision :-16.07.2025**DHBVN Panchkula and another****.....Appellants****Versus****Basic India Ltd.****.....Respondent****CORAM:- HON'BLE MS. JUSTICE NIDHI GUPTA**

Present:- Mr. Nikhil Chopra, Advocate with
Mr. Shubham, Advocate for the appellants.

None for the respondent.

NIDHI GUPTA J. (Oral)

1. The appellants/defendants have filed the present appeal against the judgment and decree dated 25.11.2019 passed by the learned Additional District Judge, Jind whereby the appeal filed by the respondent/appellant-Basic India Ltd. against the judgment and decree dated 19.12.2016 passed by the learned Civil Judge (Jr. Divn.), Safidon, has been allowed.

2. At the very outset, learned counsel for the appellants (respondents before the first Appellate Court) 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. In view of the above, the present second appeal is **allowed**, and the first appeal filed by the respondent herein (appellant before the learned first Appellate Court) stands dismissed on the ground of jurisdiction. However, the respondent herein 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 judgment and decree dated 25.11.2019 would not operate as *res judicata* in any subsequent proceedings initiated by the respondent herein.

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

July 16, 2025

Vijay Asija

**(NIDHI GUPTA)
JUDGE**

Whether speaking/reasoned Yes / No

Whether Reportable Yes / No