

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

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2025:PHHC:095844



**RSA No. 4181 of 2016 (O&M)
DECIDED ON: 30th July, 2025**

Mahesh Kumar

.....APPELLANT

VERSUS

Sub Divisional Officer, Sub Urban, and another

.....RESPONDENTS

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA.

Present: Mr. Kritika Gupta, Advocate for
Mr. Shrey Goel, Advocate for appellant.

Mr. B.R. Mahajan, Sr. Advocate with
Mr. Anil Chawla, Advocate for respondents.

NIDHI GUPTA., J (ORAL)

1. The appellant/plaintiff has filed the present appeal against judgment and decree dated 02.09.2015 whereby lower appellate Court has reversed the findings of learned Trial Court.

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 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 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.

30th July, 2025

reema

Whether speaking/reasoned Yes
Whether reportable No

(NIDHI GUPTA)
JUDGE