



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

111

RSA-3567-2019 (O&M)

Date of Decision : 11.07.2025

SUB DIVISIONAL OFFICER AND ANR

.... Appellants

VERSUS

RAMAN KUMAR

.... Respondent

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. S.K. Mahajan, Advocate for the appellants.

None for the respondent despite service.

ALKA SARIN, J. (ORAL)

CM-9660-C-2019

1. As per the Office Report, the respondent stands duly served. However, none has put in appearance on his behalf despite service. Accordingly, the respondent is proceeded against *ex parte*.
2. This is an application for condonation of delay of 66 days in filing the main appeal.
3. For the reasons stated in the application, the same is allowed and the delay of 66 days in filing the main appeal is condoned.

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4. The defendant-appellants are in appeal challenging the judgment and decree passed by the First Appellate Court whereby their appeal was dismissed and the judgment and decree passed by the Trial Court in favour of the plaintiff-respondent was affirmed.

5. At the outset, learned counsel for the defendant-appellants has submitted 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 Versus Sub Divisional Officer & Anr.' vide judgment dated 14.05.2025.

6. 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.

7. 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.

8. Pending applications, if any, also stands disposed off.

11.07.2025
Aman Jain

(ALKA SARIN)
JUDGE

NOTE: *Whether speaking/non-speaking: Speaking*
Whether reportable: Yes/No