



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

**RSA-2693-2022 (O&M)
Date of decision :27.08.2025**

OM PARKASH

... APPELLANT

VERSUS

XEN, DHBVN, BHIWANI AND ANR.

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE PARMOD GOYAL

Present: Mr. Abhimanyu Singh, Advocate
for the appellant.

Mr. S.K. Mahajan, Advocate
for the respondents.

PARMOD GOYAL, J. (ORAL)

CM-9354-C-2022

This is an application for condonation of delay of 183 days in filing the present appeal.

For the reasons mentioned in the application, the same is allowed and the delay of 183 days in filing the present appeal, is hereby condoned.

Main Case

The plaintiff-appellant by present Regular Second Appeal, is challenging the judgment and decree passed by the First Appellate Court i.e. District Judge, Bhiwani dated 07.03.2012 and also the judgment and decree dated 28.10.2016 passed by the Court of first instance whereby his appeal & suit were dismissed.

2. At the outset, learned counsel for the appellant has fairly submitted that the question of law involved in the present appeal as to whether jurisdiction

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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 and another*' vide judgment dated 14.05.2025.

3. Learned counsel for the respondents also relies on above-noted judgment.

4. In view thereof, the present appeal is dismissed. However, the plaintiff-appellant would have the liberty to avail the remedies as available in law.

5. 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 in accordance with law.

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

27.08.2025
manoj

(PARMOD GOYAL)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No