

2025:PHHC:091454



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

242

RSA-4222-2016 (O&M)  
Date of decision: 23.07.2025

Sub Divisional Office, Operation, UHBVNL and others

...Appellants

Versus

Subhash

...Respondent

**CORAM: HON'BLE MR. JUSTICE VIKAS SURI**

Present: Mr. Anil Chawla, Advocate for the appellants.

Mr. Abhinav Sood, Advocate for  
Mr. Vikram Singh, Advocate for the respondent.

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**VIKAS SURI, J.**

**CM-10890-C-2016**

This is an application under Section 5 of the Limitation Act for condonation of delay of 41 days in filing the appeal.

For the reasons set out in the application, supported by affidavit, the same is allowed and delay of 41 days in filing the appeal is condoned.

CM stands disposed of.

**RSA-4222-2016**

1. The defendant-appellants/Nigam in present Regular Second Appeal has challenged the judgment and decree passed by the First Appellate Court whereby its appeal was dismissed, and the judgment and decree passed by the Trial Court in favour of the plaintiff-respondent was



affirmed.

2. 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 vide judgment dated 14.05.2025 passed in ***Mahesh Kumar Versus Sub Divisional Officer and another, 2025(3) RCR (Civil) 303.***

3. Learned counsel for the plaintiff-respondent does not dispute this factual position.

4. 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 be at 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-respondent.

6. Pending applications, if any, also stand disposed of.

July 23, 2025  
*sumit.k*

**(VIKAS SURI)**  
**JUDGE**

Whether speaking/reasoned :

Yes / No

Whether Reportable :

Yes / No