



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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RSA-1617-2020 (O&M)

Date of Decision: 29.08.2025

SDO (OP), DHBVN, Sohna

.... Appellant

Versus

Dharmender

.... Respondent

**CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA**

Present: - Dr. Neha Awasthi, Advocate for the appellant.

Mr. Amit Jain, Advocate for the respondent.

**NIDHI GUPTA, J. (ORAL)**

1. The appellant-defendant is in second appeal against the concurrent findings rendered by both the Court below whereby the suit for declaration and permanent injunction filed by the respondent-plaintiff was decreed.

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.

**29.08.2025**  
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**( NIDHI GUPTA )**  
**JUDGE**

**Whether speaking/reasoned    Yes/No**

**Whether Reportable            Yes/No**