



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

**RSA-2810-2025 (O&M)
Date of Decision : 03-09-2025**

**UTTAR HARYANA BIJLI VITRAN NIGAM, PUNDRI, KAITHAL
.....Appellant**

VERSUS

**MS JAGAT GURU BRAHMANAND
.....Respondent(s)**

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Shubham Chauhan, Advocate
 for the appellant.

 None for the respondent.

HARPREET KAUR JEEWAN, J. (Oral)

1. The present Regular Second Appeal has been filed impugning the judgment and decree dated 03.03.2025 passed by Ld. District Judge, confirming the judgment and decree dated 04.11.2024, passed by the Civil Judge (Senior Division), Kaithal.
2. As per office report, respondent has been served through his wife. However, none has appeared on his behalf, as such, the respondent is proceeded against *ex parte*.
3. The respondent-plaintiff filed a suit for declaration assailing the demand of charges on account of theft of electricity.

4. The issue regarding bar to the jurisdiction, in view of the provisions of Section 145 of the Act of 2003 has been settled by the Hon'ble Division Bench in RSA No.4181 of 2016 and other connected cases, titled as ***“Mahesh Kumar Vs. Sub-Divisional Officer and anr.”***

5. The present Regular Second Appeal is allowed in terms of the decision of the Hon'ble Division Bench in ***Mahesh Kumar's case (supra)***.

6. However, liberty is granted to the respondent-plaintiff to avail alternate remedy as per law.

7. Pending miscellaneous applications, if any, shall stand disposed of.

03-09-2025
Sapna Goyal

(HARPREET KAUR JEEWAN)
JUDGE

NOTE: Whether speaking: YES
Whether reportable: NO