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

RSA-4809-2019 (O&M)

Date of Decision : 13.11.2025

Sub Divisional Officer, DHBVNL & Anr

... Appellant(s)

Versus

Anil Kumar Gupta

... Respondent(s)

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

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

Mr. Ashish Gupta, Advocate for the respondent.

ALKA SARIN, J. (Oral)

CM-13688-C-2019

1. For the reasons mentioned therein, the application seeking condonation of delay of 32 days in filing the appeal is allowed and the delay of 32 days in filing the appeal is condoned.

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2. The defendant-appellants are in regular second 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.

3. 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 [Mahesh Kumar Versus Sub Divisional Officer & Anr.]** vide judgment dated 14.05.2025.

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

5. 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.

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

13.11.2025
Yogesh Sharma

(ALKA SARIN)
JUDGE

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO