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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

RSA-475-2021 (O&M)

Date of Decision : 01-12-2025

SUB DIVISIONAL OFFICE, OPERATION, SUB DIVISION, UTTARI
HARYANA BIJLI VITAN NIGARM-SIWAN AND ANR.

.....Appellant(s)

VERSUS

KALAWATI AND ANR.

.....Respondent(s)

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Madhur Singh, Advocate
for the appellant(s).

None for the respondent.

HARPREET KAUR JEEWAN, J. (Oral)

1. The present Regular Second Appeal has been filed impugning the judgment and decree dated 18.02.2020, passed by the First Appellate Court upholding the judgment and decree dated 16.11.2019 passed by the trial Court whereby, the suit filed by the respondents-plaintiffs for declaration and permanent injunction was decreed.

2. As per the office report, respondent No.1 has been personally served whereas respondent No.2 has been served through his mother however, none has appeared on their behalf, as such, the respondents No.1 and 2 are proceeded against *ex parte*.

3. The respondents-plaintiffs had filed a suit raising the challenge to the assessment order regarding electricity charges.

4. The issue regarding bar to the jurisdiction in view of the provisions of Section 145 of the Electricity 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 (supra)***.

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

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

01-12-2025
Sapna Goyal

(HARPREET KAUR JEEWAN)
JUDGE

NOTE: Whether speaking: YES
Whether reportable: NO