



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

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RSA-2216-2023 (O&M)**Date of Decision: 14.07.2025****Thawar Singh**

....Appellant

Versus

Dakshin Haryana Bijli Vitran Nigam Limited and others

....Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS SURI

Present: Ms. Anuradha, Advocate for
Mr. Shashikant Gupta, Advocate for the appellant.

Mr. Anil Chawla, Advocate for the respondents.

VIKAS SURI, J. (Oral)

1. The plaintiff-appellant in present Regular Second Appeal has challenged the judgment and decree dated 01.03.2023 passed by the First Appellate Court, whereby the appeal preferred by respondent-Nigam was accepted, and the judgment and decree dated 21.11.2022 passed by the Trial Court decreeing the suit, was set aside and resultantly, the suit was dismissed by the First Appellate Court.

2. At the outset, learned counsel for the plaintiff-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, titled as *Mahesh Kumar Versus Sub Divisional Officer and another*, vide judgment dated 14.05.2025.



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3. Learned counsel for the defendant-respondents does not dispute this factual position.

4. In view thereof, the present appeal is allowed, and the suit filed by the plaintiff-appellant stands dismissed on the ground of jurisdiction. However, the plaintiff-appellant 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-appellant.

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

July 14, 2025

Varinder

**(VIKAS SURJ)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No