



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

215 RSA-2072-2024 (O&M)
Date of Decision: 18.07.2025

Uttar Haryana Bijli Vitran Nigam Limited and another

....Appellants

Versus

Kirpal Singh

....Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS SURI

Present: Mr. Anil Chawla, Advocate
for the appellants.

VIKAS SURI, J. (Oral)

1. The defendant-appellants/Nigam in present Regular Second Appeal has challenged the judgment and decree passed by the First Appellate Court whereby its appeal was dismissed, and the judgment and decree passed by the Trial Court in favour of the plaintiff-respondent, was affirmed.
2. 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, vide judgment dated 14.05.2025, in ***Mahesh Kumar vs. Sub Divisional Officer and another***, 2025 (3) RCR (Civil) 303.
3. Despite service, there is no representation on behalf of the respondent. Accordingly, the respondent is proceeded against *ex parte*.



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4. In view of the law laid down in ***Mahesh Kumar's*** case (supra) 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 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-respondent.

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

July 18, 2025

Varinder

**(VIKAS SURJ)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No