

2025:PHHC:147335



119-2

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

RSA-1804-2024 (O&M)

Date of Decision : 28.10.2025

SDO (OP) SUB DIVISION PEHOWA

.... Appellant

VERSUS

SALINDER KUMAR AND ANR

.... Respondents

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

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

Mr. Nitin Jain, Advocate for respondent No.1.

ALKA SARIN, J. (ORAL)

1. The defendant-appellant is in present regular second appeal, challenging 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 No.1 was affirmed.

2. At the outset, learned counsel for the defendant-appellant 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. decided on 14.05.2025]**.

3. Learned counsel for the plaintiff-respondent No.1 does not dispute this factual position.

4. In view thereof, the present appeal is allowed and the suit filed by the plaintiff-respondent No.1 stands dismissed on the ground of jurisdiction. However, the plaintiff-respondent No.1 would have the 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 No.1. Pending applications, if any, also stand disposed off.

28.10.2025

Aman Jain

(ALKA SARIN)

JUDGE

*NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: Yes/No*