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

RSA-2273-2023 (O&M)

Date of Decision : 12.01.2026

DAKSHIN HARYANA BIJLI VITRAN NIGAM AND ANR Appellants

VERSUS

SATISH KUMAR

.... Respondent

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

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

None for the respondent despite service.

ALKA SARIN, J. (ORAL)

CM-7688-C-2023

1. This is an application for condonation of delay of 178 days in
refiling the appeal.

2. For the reasons stated in the application, the same is allowed and
the delay of 178 days in refiling the appeal is condoned.

CM-7689-C-2023

3. This is an application for condonation of delay of 43 days in
filing the appeal.

4. For the reasons stated in the application, the same is allowed and
the delay of 43 days in filing the appeal is condoned.

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5. The defendant-appellants are in present 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.

6. At the outset, learned counsel appearing on behalf of 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**, titled as '**Mahesh Kumar Versus Sub Divisional Officer & Anr.**' vide judgment dated 14.05.2025.

7. As per the Office report, the respondent stands duly served. However, none has put in appearance on his behalf despite service.

8. 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.

9. 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 stands disposed off.

12.01.2026

Aman Jain

NOTE:

(ALKA SARIN)

JUDGE

Whether speaking/non-speaking: Speaking

Whether reportable: Yes/No