



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

121

CR-3173-2026

Date of decision: 16.04.2026

KAMAL

...PETITIONER

VERSUS

S.D.O. (OP) DIVN. DHBVNL AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE PARMOD GOYAL

Present: Mr. Gaurav Gupta, Advocate
for petitioner.

PARMOD GOYAL, J. (ORAL)

Present civil revision has been filed under Article 227 of the Constitution of India r/w Section 115 of Code of Civil Procedure, 1908 ('CPC') by petitioner-plaintiff being aggrieved by impugned order dated 20.02.2026 (Annexure P-5) passed by Civil Judge (Junior Division) Faridabad, whereby application filed by petitioner-plaintiff under Order XXXIX Rules 1 and 2 read with Section 151 of CPC had been dismissed and by order dated 01.04.2026 (Annexure P-7) passed by learned Additional District Judge, Faridabad, whereby appeal filed by petitioner-plaintiff against order dated 20.02.2026 also dismissed.

2. Petitioner-plaintiff had preferred a suit for permanent injunction and along with said suit, an application under Order XXXIX Rule 1 and 2 read with Section 151 of Code of Civil Procedure, 1908 for ad-interim injunction was also preferred by petitioner-plaintiff. It was asserted that respondents-defendants No.2 to 4 are interfering with peaceful possession of petitioner-plaintiff and they along with defendant No.1 be restrained from disconnecting the electricity connection.

3. Both the learned Courts have found that petitioner-plaintiff had taken said electricity connection by making false submission and by misrepresentation. Petitioner-plaintiff had applied for electricity connection for an area measuring 100 square yards, stating the same to be situated within 'Lal Dora' of village Sagarpur, however, he got the connection installed in the disputed suit property, which was situated outside Lal Dora of the village and finding this misrepresentation on the part of petitioner-plaintiff, defendant No.1-Electricity Department had disconnected the electricity connection and removed the electricity meter.

4. Both the learned Courts have noted and recorded this fact while considering and finding out whether any prima-facie case is made out. Since petitioner-plaintiff had obtained a new connection over the suit property by making misrepresentation, both the learned Courts have concluded that petitioner-plaintiff has failed to show prima-facie case in his favour and have found balance of convenience against the petitioner-plaintiff. It was further held that no irreparable loss will be caused to the petitioner-plaintiff on disconnection of the electricity connection taken wrongly. Both the Courts, after examining material available on record, have concluded that petitioner-plaintiff had got electricity connection from defendant No.1 by way of misrepresentation as he had sought electricity connection for a house measuring 100 square yards lying within the 'Lal Dora', whereas connection was installed in the house which was outside 'Lal Dora' which is subject to litigation between petitioner-plaintiff and defendants No.2 to 4.

5. Since the petitioner-plaintiff is guilty of getting the connection by misrepresentation, the learned Courts have rightly held that petitioner-

plaintiff has no prima facie case in his favor and have rightly held that Courts cannot prevent the wrong done by petitioner-plaintiff by restraining defendant No.1 from taking action against petitioner-plaintiff, as per law.

6. In view of above, I do not find any merit in present revision petition. The reasoning given by both the Courts is based on material available on record and cannot be held to be erroneous or perverse.

7. Petitioner-plaintiff, in present case, has failed to show three golden rules i.e. prima facie case, irreparable loss and balance of convenience, which are required to secure an order of ad interim injunction. The Courts have rightly held that no prima facie case lies in favour of petitioner-plaintiff. Impugned orders are therefore upheld and present revision is dismissed being without any merit. It is, however, made clear that petitioner-plaintiff shall be free to seek electricity connection after consideration of objection, if any, raised by respondents and in accordance with law, if it is permissible.

8. Pending application(s), if any, stand disposed of.

(PARMOD GOYAL)
JUDGE

16.04.2026

Sunil Chander

<i>Whether speaking/reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>