2026:AHC:208640-DB

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - C No. - 31387 of 2026

Ishtiyaq Ahmad

.....Petitioner(s)

Versus

Managing Director, Uttar Pradesh Power Corporation Limited And 2 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Amit Kumar Chaurasia, Rajesh Yadav, Viresh Kumar Yadav
Counsel for Respondent(s)	:	Krishna Agarawal, Narendra Kumar Tiwari

Court No. - 21

HON'BLE ARINDAM SINHA, J.
HON'BLE SATYA VEER SINGH, J.

1. Paragraphs 1 and 2 from order dated 11th September, 2026 made on the writ petition moved, are reproduced below.

> *"1. Mr. Viresh Kumar Yadav, learned advocate appears on behalf of petitioner and submits, his client wants electric connection in his shop. There is dispute between owners of the property and him. His client filed injunction suit and it is pending. In the meantime, there be direction upon the supply company to give him the connection. His client is ready to provide such indemnity as is required. He files supplementary affidavit dated 9th September, 2026 on leave obtained and copy served.*
>
> *2. Mr. R.K. Mishra, learned advocate holding the brief appears on behalf of respondent (the supply company). On query Mr. Yadav submits, defendants in his client's suit are the owners. Said persons are added as respondents. Petitioner has leave to make the amendment in Court, to be countersigned by Court Master. Amended copy of the writ petition along with supplementary affidavit be served on added respondents by registered/speed post with A.D. Accept one set of process fee for each set of added respondent. Petitioner will put in the requisites. "*

Office report dated 3rd October, 2026 says, only added respondent nos. 4/3 and 10/1 had the notice delivered to them. Others are either deceased or left without instructions or undelivered articles not returned to the office. Said

respondent nos. 4/3 and 10/1 go unrepresented. Mr. Akhilesh Kumar, learned advocate holding the brief appears on behalf of respondent no. 1 (the power corporation). Today too, Mr. R.K. Mishra, learned advocate holding the brief appears for respondent nos. 2 and 3 (the supply company).

2. Law as per view taken by the Calcutta High Court in **Abhimanyu Mazumdar vs. The Superintending Engineer** reported in **AIR 2011 Cal 64** is that a person in settled possession is entitled to electric connection. This is irrespective of whether the person is a trespasser on having entered wrongfully or subsequently becomes a trespasser after the permission is withdrawn or tenancy determined. Petitioner's case is, he is tenant in respect of the shop and seeking electric connection. His landlords are against him and he has filed injunction suit to obtain protection from eviction. In the circumstances, the supply company to cause inspection and verification. In event petitioner is found to be in settled possession, such security and charges for giving the connection be obtained from him and it given. Petitioner will communicate certified copy of this order to respondent no. 3 (the Executive Engineer) within two weeks therefrom. Either connection be given or reason for not doing so, informed to petitioner.

3. The writ petition is disposed of.

(Arindam Sinha,J.)

(Satya Veer Singh,J.)

October 6, 2026
Jaswant

Digitally signed by :-
JASWANT KUMAR
High Court of Judicature at Allahabad