2026:AHC:227406-DB

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - C No. - 35921 of 2026

Krishnakant Tyagi And Another

.....Petitioner(s)

Versus

State Of U.P. And 5 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Ram Krishna Yadav
Counsel for Respondent(s)	:	C.S.C., Prashant Pandey, Pratik J. Nagar

Court No. - 21

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

1. Prayer (i) in the writ petition is reproduced below.

> *"(i) issue a writ, order or direction in the nature of Mandamus commanding the respondents to give compensation of actual affected Tower base area (more than 1330.79 square meter) in place of 722.534 Square Meter and additional 1 meter extension on each side from 200% of circle rate & Right way of Corridor 30% as per decision of Cabinet of Government Of U.P. dated 04.05.2026 & G.O. dated 14.06.2024 of Government of India."*

Mr. Sanjay Ram Tripathi, learned advocate holding the brief appears for petitioners. Dr. D.K. Tiwari, learned advocate, Additional Chief Standing Counsel appears for State and Mr. Pratik J. Nagar, learned advocate for respondent nos.4 to 6 (the transmission company).

2. Paragraphs 2 and 3 from our earlier order dated 9th October, 2026 are reproduced below.

> *"2. Mr. Pratik J. Nagar, learned advocate appears for respondent nos.4 to 6 (the transmission company). He draws attention to proviso clause (d) under section 10 in Indian Telegraph Act, 1885 to submit, question of compensation, its determination, sanction and disbursement arise only after the work is complete. It is not yet complete. The writ petition is pre-mature. Mr. Sharad Chandra Upadhyay, learned advocate, Standing*

Counsel appears for State.

3. The transmission company will file affidavit clearly stating target date for completion of the work. The affidavit will be accepted on adjourned date, upon advance copy served."

Mr. Nagar files affidavit dated 31st October, 2026. On query, he draws attention to earlier affidavit dated 24th October, 2026. Paragraph 5 is reproduced below .

"That the entire work over the land of the petitioner will take approximately 40 days, however, as on date the foundation work is started and the same shall be completed by 30.10.26. After the foundation work is completed the erection shall take place and the same shall be completed by 30.11.26."

3. Mr. Tripathi hands up Circular dated 28th October, 2026 regarding determination of compensation. He gives copy to Mr. Nagar.

4. Petitioners know that the work is to be completed by 30th November, 2026. Per the transmission company, compensation will be determined thereafter. Said respondent is now aware of aforesaid Circular dated 28th October, 2026 for purpose of the determination.

5. Petitioners will communicate certified copy of this order to respondent no.6 (the Executive Engineer). By 18th December, 2026 there be assessment of compensation upon intimation to petitioners. In other words, the determination is to follow joint verification of the area. Disbursement should follow in due course, without delay.

6. The writ petition is **disposed of.**

(Arindam Sinha,J.)

(Satya Veer Singh,J.)

November 2, 2026
Shiv

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