2026:AHC:211106-DB

# HIGH COURT OF JUDICATURE AT ALLAHABAD

**WRIT - C No. - 24590 of 2026**

Basanti

.....Petitioner(s)

Versus

State Of U.P. And 5 Others

.....Respondent(s)

| | | |
|---|---|---|
| Counsel for Petitioner(s) | : | Surendra Nath Tripathi |
| Counsel for Respondent(s) | : | C.S.C., Pawan Kumar Mishra |

**Court No. - 21**

**HON'BLE ARINDAM SINHA, J.**
**HON'BLE INDRAJEET SHUKLA, J.**

1. The writ petition was moved on 3rd July, 2026. Paragraph 1 from order made that day is reproduced below.

> *"1. Mr. Surendra Nath Tripathi, learned advocate appears on behalf of petitioner and submits, prayer of his client is to restrain the transmission company from drawing high tension line over petitioner's agricultural land, lying in Gata nos. 430 and 431 situate in village- Eashwar Pur Pauni, District- Azamgarh. The electric pole was erected elsewhere then shifted to his client's agricultural land. This was done in arbitrary manner. He seeks interference."*

2. On a subsequent day of hearing, it transpires that there was communication dated 23rd May, 2026 made by the Junior Engineer to the Sub-Divisional Officer (SDO). In the communication, there is specific mention of the villagers taken into confidence on the alignment. The Court directed the SDO to be added as party and made certain directions as would appear from paragraph 2 in order dated 13th August, 2026, reproduced below.

> *2. Paragraph 1 from our order dated 3rd July, 2026 is reproduced below.*
>
> > *"1. Mr. Surendra Nath Tripathi, learned advocate appears on behalf of petitioner and submits, prayer of his client is to restrain the transmission company from drawing high tension line over petitioner's agricultural land, lying in Gata nos. 430 and 431 situate in village- Eashwar Pur Pauni,*

*District- Azamgarh. The electric pole was erected elsewhere then shifted to his client's agricultural land. This was done in arbitrary manner. He seeks interference.*

*2. Mr. G.C. Tiwari, learned advocate, Standing Counsel appears on behalf of State and Mr. Pawan Kumar Mishra, learned advocate, for respondent nos. 3 to 6 (the transmission company). Mr. Mishra submits, everything happened after taking the residents into confidence, on their agreement. Mr. Tripathi disputes the submission. On query he submits, wires have not yet been drawn. There was direction upon the transmission company to issue instructions on order dated 25th June, 2026, passed by the vacation Bench.*

*3. The transmission company is to file affidavit disclosing relevant documents to show change in alignment pursuant to agreement reached between the residents and itself. The affidavit will be accepted on adjourned date upon advance copy served. On query Mr. Mishra seeks ten days' time.*

*4. List on 15th July, 2026 as fresh. Status quo be maintained till next date of hearing."*

*The S.D.O. is added as respondent no.7. Petitioner has leave to make the amendment in Court, to be counter signed by Court Master. Amended copy of the writ petition be given to Mr. Mukharjee.* ***Added respondent is directed to call petitioner and other villagers with reference to aforesaid communication dated 23rd May, 2026 and, we hope, resolve the issue. Report be filed on adjourned date****."*

(emphasis supplied)

3. Today, Mr. Sharad Chandra Upadhyay, learned advocate, Standing Counsel appears for State and hands up his instructions dated 7th October, 2026 on copies circulated. He submits, *inter alia*, at page 14 is minutes of proceeding bearing signature of petitioner and the villagers. There is also mention that the person, who has plot adjacent to petitioner, was present but did not sign.

4. We are satisfied that added respondent no.7 has complied with the directions made. Demarcation for purpose of erecting the electric poles have been made. No further order is necessary.

5. The writ petition is disposed of.

**(Arindam Sinha,J.)**

**(Indrajeet Shukla,J.)**

**October 8, 2026**
Mohini

Digitally signed by :-
MOHINI RAI
High Court of Judicature at Allahabad