

**CR-3497-2026(O&M)****IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

(109)

CR-3497-2026(O&M)

Date of Decision:-24.04.2026

Kulwant Singh

.....Petitioner

Versus

Raj Devi @ Rajo @ Angrejo

.....Respondent

CORAM: HON'BLE MR. JUSTICE AMARINDER SINGH GREWAL

Present: Mr. Anirudh Kaushal, Advocate and
Ms. Natasha Syal, Advocate,
for the petitioner.

Mr. Sahil Dalal, Advocate,
for the respondent-caveator.

AMARINDER SINGH GREWAL, J. (Oral)**CM-8500-CII-2026**

Allowed, as prayed for, subject to all just exceptions.

CR-3497-2026

1. The present civil revision petition has been filed under Article 227 of the Constitution of India, *inter alia*, praying for setting aside the impugned order dated 12.03.2026 (Annexure P-1), passed by the learned Civil Judge (Junior Division), Safidon.

2. Brief facts of the case are that the respondent/plaintiff filed a civil suit for a decree of declaration against the petitioner/defendant. Along with the suit, the respondent/plaintiff also filed an application under Order 39 Rules 1 and 2 CPC seeking grant of temporary injunction. The learned

**CR-3497-2026(O&M)**

2026:PHHC:063846

trial Court allowed the said application and restrained the petitioner/defendant from interfering in the possession of the respondent/plaintiff over the suit property or from alienating the same to any third party during the pendency of the suit, vide order dated 09.09.2025. Thereafter, the respondent/plaintiff filed an application under Section 151 CPC before the learned trial Court seeking a direction to the Electricity Department, through its SDO, Safidon, to restore the electricity supply to the respondent's house. The learned trial Court, after considering the replies filed by the parties, allowed the said application vide impugned order dated 12.03.2026. Hence, the present petition.

3. Learned counsel for the petitioner, *inter alia*, submits that the learned trial Court has erroneously allowed the application and passed the impugned order dated 12.03.2026, which is unsustainable in the eyes of law. He further contends that the direction has been issued to the Electricity Department, which is not a party to the present suit; therefore, no such order could have been passed against a non-party. He further submits that the electricity connection in question stands in the name of the petitioner/defendant and, as such, the respondent/plaintiff has no independent legal right in respect of the said connection or account. It is also contended that while passing the impugned order, the learned trial Court has failed to follow the due procedure prescribed under Order 39 CPC Rules 1 & 2 read with Section 151 CPC. Accordingly, a prayer has been made for setting aside the impugned order dated 12.03.2026.

4. I have heard learned counsel for the petitioner and have gone through the paper-book.



CR-3497-2026(O&M)

5. This Court has considered the aforesaid submissions but does not find any merit in the same. A perusal of the impugned order reveals that the learned trial Court has exercised its inherent jurisdiction under Section 151 CPC to secure the ends of justice and to ensure that the respondent/plaintiff is not deprived of basic amenities during the pendency of the suit. It is not disputed that the respondent/plaintiff is in possession of the suit property and such possession already stands protected by virtue of an order of temporary injunction passed under Order XXXIX Rules 1 and 2 CPC. Once possession of a party is protected by an order of the Court, it necessarily follows that such possession must be meaningful and capable of effective enjoyment. Electricity, in the present day context, is a basic necessity of human life and an essential service required for dignified living. Deprivation thereof would render the protection of possession illusory and would defeat the very purpose of the interim order passed by the trial Court. The contention of the petitioner that the electricity connection stands in his name does not persuade this Court to take a different view at this interlocutory stage. The question as to the entitlement, rights and liabilities of the parties with regard to the suit property, including any ancillary rights, shall be determined upon appreciation of evidence at the time of final adjudication of the suit. The restoration of electricity supply, as directed by the learned trial Court, is purely an interim measure and does not confer any substantive or final right upon the respondent/plaintiff. This Court is also of the considered view that no prejudice would be caused to the petitioner if the electricity supply is restored in favour of the respondent/plaintiff during the pendency of the

**CR-3497-2026(O&M)**

2026:PHHC:063846

suit, particularly when such restoration is subject to the final outcome of the proceedings.

6. On the contrary, denial of such basic amenity would cause undue hardship and irreparable inconvenience to the respondent/plaintiff. The argument that the Electricity Department is not a party to the suit is also devoid of substance. The direction issued by the learned trial Court is incidental and ancillary in nature, aimed at effectuating its earlier order of injunction and preserving the status quo. Such directions, even if issued to a non-party authority, do not suffer from any legal infirmity when they are necessary to meet the ends of justice and do not determine any independent rights of such authority.

7. In view of the aforesaid discussion, the present civil revision petition stands dismissed. It is, however, clarified that any observations made herein are only for the purpose of adjudication of the present petition and shall not be construed as an expression on the merits of the case, which shall be decided independently by the learned trial Court.

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

(AMARINDER SINGH GREWAL)
JUDGE

24.04.2026
Shubham

Whether speaking/reasoned:-	Yes/No
Whether Reportable:-	Yes/No