

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15510 of 2016

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1. Ranjeet Kumar son of Bendict Gabrial resident of Magadh Colony, Kurjee, P.S. Digha, District Patna, partner of ACME Institute of Information Technology, 126, Shashi Sadan, Gandhi Nagar, P.S.- S.K. Puri, District - Patna.

.... Petitioner/s

Versus

1. The Bihar State Power (Holding) Company Limited, Vidyut Bhawan, Bailey Road, Patna, through its Chairman-cum-Managing Director.
2. The South Bihar Power Distribution Company Limited, Vidyut Bhawan, Bailey Road, Patna, through its Chairma-cum-Managing Director.
3. The Superintendent Engineer, South Bihar Power Distribution Company Limited, Patna New Circle, Patna.
4. The Executive Electrical Engineer, Electric Supply Sub-Division, New Capital, Patna.
5. The Assistant Electrical Engineer, Electric Supply Sub-Division, New Capital, Patna.
6. Sri Sriniwas Kumar Verma son of Sri Ganesh Kumar Verma resident of 126, Gandhi Nagar, P.S.- S.K. Puri, District - Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Manisha Singh, Adv.

For the Respondent/s : Mr. Kumar Priya Ranjan, Adv.

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

ORAL JUDGMENT

Date: 09-12-2016

Heard Mr. R.K. Jain, learned counsel for the petitioner and Mr.

Kumar Priya Ranjan for the Electricity Company.

Three fold prayer has been made by the petitioner which is in paragraph 1 of the writ petition which are as follows:

“(1) For quashing of letter dated 29.08.2016 issued by Respondents Assistant Electrical Engineer, New Capital Sub-Division, Patna whereby the request of the petitioner for energy connection has been rejected.

(ii) For a direction upon the Respondents to give energy connection in the premises for which application was given and required fee of Rs. 36000/- and other miscellaneous expenses of 1100/- has been paid on 19.08.2016 and a money receipt in this regard has been issued.

(iii) For a direction upon the Respondents to restore the energy connection which has been disconnected on written complaint of the landlord.”



Admitted position is that the petitioner is the occupant of the house in question. Admitted position also is that there is a dispute pending in between the petitioner and the landlord in the Civil Court. While Title Suit No. 122 of 2015 is filed by the Landlord for his eviction, Title Suit No. 415 of 2015 has been filed by the petitioner which is pending before the Munsif-III, Patna. It is also not in dispute that a prayer for restraining the respondents from interfering with the electricity connection has since been rejected by the court below in Title Suit no. 415 of 2015 on 21.4.2016 and it is following the rejection of the injunction prayer on 21.4.2016 that the electricity connection of the petitioner has been disconnected. The order dated 21.4.2016 of the court below was questioned by the petitioner in miscellaneous appeal before the District Judge in Misc. Appeal No. 43 of 2016 , which has also been dismissed on 09.09.2016.

In the circumstances discussed the petitioner cannot renew his prayer by way of a writ petition which is dismissed accordingly.

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(Jyoti Saran, J)

