

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.7033 of 2017

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1. Shivam Son of Shri Pradeep Kumar Sinha, Resident of B- 201, Kashyap Suman Palace, RMS Colony, P.O.- Lohiya Nagar, Kankarbagh, P.S.- Kankarbagh, District- Patna

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Energy Department, Government of Bihar.
2. Chairman cum Managing Director, Bihar State Power Holding Company Limited. null null
3. The Executive Engineer, South Bihar Power Distribution Company Limited, Ara.
4. The Assistant Electrical Engineer, Electricity Supply Sub Division, Ara.
5. The Junior Electrical Engineer, Electricity Supply Sub Division, Ara.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Akash Keshav
For the Respondent 2 to 5: Mr. Anand Kumar Ojha,
Mr. Ashok Kumar Karn
For Respondent No.1 : Mr. Kinkar Kumar, SC 9
Mr. Rakesh Kumar Sharma

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 02-08-2017

Heard the parties.

In the present case, petitioner is challenging the action of the South Bihar Power Distribution Company Ltd. (hereinafter referred to as the Company).

Petitioner has claimed that he has applied for electric connection. He has already deposited requisite fee, there is agreement for power connection but later on he received a letter dated 14.7.2016 wherein it has been recorded that power of the petitioner would be disconnected on the ground of submission of



forged document. The petitioner is not in a position to contradict the statement made in the letter of Company about forged document.

In view of the aforesaid finding, this Court has no reason to entertain present writ petition.

Learned counsel for the petitioner has submitted that as there is litigation with the landlord and in such circumstances, it is very difficult for him to obtain NOC from the landlord.

In such circumstances, this Court would not give any direction for reconnection of power to the petitioner but, however, as petitioner is running a School where children are pursuing their study, in such circumstances, it will be in the interest of the children if the petitioner applies for fresh connection along with requisite documents and fee even without NOC from the landlord, the Distribution Company will verify whether any arrear of rent is standing against the petitioner if there is no any outstanding dues against him, in such circumstances, fresh power connection would be given. Company will be at liberty to install prepaid meter to ensure proper return of revenue to the Company.

It is also made clear that already a criminal has been lodged, the same will not come in the way in giving power connection looking to the welfare of the children. But this order



will not create semblance of any right to the petitioner.

With the aforesaid observation and direction this writ
petition is disposed of.

(Shivaji Pandey, J)

Vinay/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	10.8.2017
Transmission Date	NA

