

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.13843 of 2017

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1. Rakesh Ranjan, Son of Sri Jagadanand Shukla,
 2. Parsuram Sah, Son of Masudan Sah, Both resident of Ghrdaur Road, Utari Nepali Nagar, Police Station- Rajiv Nagar, District- Patna.
 3. Jatashankar Sharma, Son of Late Ishwar Sharma,
 4. Rajesh Sharma, Son of Late Ram Briksh Sharma,
 5. Malti Devi, Wife of Late Birendra Mehta, All resident of Nepali Nagar, Police Station- Rajiv Nagar, District- Patna.
 6. Raj Kumar Manjhi, Son of Late Pasupati Nath Manjhi,
 7. Pappu Kumar, Son of Late Pasupati Nath Manjhi, Both resident of Digha Ghurdaur Road, Police Station- Rajiv Nagar, District- Patna.
 8. Skytech Network Private Limited through its Directot Mukesh Kumar, Son of Braj Bihari Singh, Resident of Kedar Palace, Ashiana Road, Police Station- Digha, District- Patna.
 9. Hemant Kumar Sinha, Son of Late Radha Krishna Prasad,
 10. Dinesh Kumar Sinha, Son of Shambhu Sharan Prasad,
 11. Wakil Dev Gupta, Son of Mahendra Prasad,
 12. Ajay Kumar, Son of Late Nasib Lall Yadav,
 13. Ravi Kumar, Son of Radha Krishna Sharma,
 14. Shobha Devi, W/o Devendra Kumar Singh, All resident of Nepali Nagar, Police Station- Rajiv Nagar, District- Patna.

.... Petitioners

Versus

1. The Bihar State Power Holding Company Limited through its Chairman, Vidyut Bhawan, Bailey Road, Patna.
2. The General Manager-cum-Chief Engineer, Patna Electric Supply Union, Bailey Road, Patna.
3. The Executive Engineer, Electric Supply Division, Danapur, Patna.
4. The Assistant Electrical Engineer, Electric Supply Sub- Division, Digha, Patna.

.... Respondents

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Appearance :

For the Petitioners : Mr. Gyan Prakash, Advocate
For the Respondents : Mr. Kunal Tiwari, Advocate

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 29-11-2017

The present writ petition has been filed for the following reliefs-

(i) For issuance of a writ in the nature of mandamus commanding the respondent authorities, particularly



respondent no. 4 to accept the application of the petitioners for an electrical connection and allow them to deposit the requisite amount for supply of an electrical connection to the premises of the petitioners situated at Rajiv Nagar/Digha Police Station, District Patna.

(ii) For holding that in view of the order passed by the Hon'ble Supreme Court in Civil Appeal No. 7572 of 2011 (Sri Chandu Khamaru vs. Smt. Nayan Malik and others), the owner/occupier of the premises have a statutory right for an electric connection and it is the duty of every licensee under Section 43 of the Indian Electricity Supply Act, 2003 to give supply of electricity to such premises within one month of receipt of the application.

(iii) For holding that in view of Clause 4.13(B) of the Bihar Electricity Supply Code, 2007, even the persons, who are not able to produce the proof of ownership of the premises are allowed to take electric connection on submission of certain documents.

(iv) For necessary direction upon the respondent authorities to provide electricity supply to the premises of the petitioners within one month of the receipt of the application of the petitioners for electric connection.

2. At the very outset, learned counsel for the respondent-Power Company submits on the basis of counter affidavit that temporarily new connection has been provided to all the applicants from whom applications are received, including the petitioners. Learned counsel for the respondent-Power Company further undertakes that new connection would be provided to such of the petitioners who have not yet been provided new connections in the light of the decision taken in terms of memo no. 1014 dated 10.10.2017 (Annexure-B to the counter affidavit).



3. Learned counsel for the petitioners has no objection in this regard.

4. The writ petition accordingly stands disposed of.

(Vikash Jain, J)

Chandran/BT

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	01.12.2017
Transmission Date	N.A.

