

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Civil Writ Jurisdiction Case No.7288 of 2017**

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1. Indal Yadav, Son of Hari Kant Jha
  2. Santosh Jha, Son of Hari Kant Jha
  3. Abhiram Jha, Son of Sri Sushil Jha
  4. Rina Devi, Wife of Ranjit Kumar Pandit
  5. Mamta Devi Wife of Sri Ajay Prasad
- All are resident of Nepali Nagar, P.O.-Ashiana Nagar, P.S.-Rajiv Nagar,  
District-Patna.

.... .... Petitioner/s

Versus

1. The Bihar State Power Holding Company Ltd. Through Its Chairman, Vidyut Bhawan, Bailey Road, Patna.
2. The Sought Bihar Power Distribution Ltd. through its Managing Director, Vidyut Bhawan, Bailey Road, Patna.
3. The Assistant Electrical Engineer, South Bihar Power Distribution Company Ltd. Electricity Supply Sub-Division, Digha, District-Patna.

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Bipin Kumar, Adv.  
For the SBPDCL : Mr. Kumar Manish, Adv.

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**CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY**

**ORAL JUDGMENT**

**Date: 17-08-2017**

Heard learned counsel for the petitioner and counsel for  
the State.

In the present case, five persons have joined together in a  
single writ application but, it will be treated to have been filed by  
petitioner no.1, Indal Yadav only. The petitioner nos. 2 to 5 are  
directed to file their separate respective writ application and the court  
fee that has been deposited on their behalf in the present writ  
application will be treated to have been filed in those writ  
applications.



Heard learned counsel for the petitioner and counsel for the State.

In the present writ application, the petitioner has raised a grievance that though he has fulfilled all the conditions but, even then, the Power Holding Company has refused to grant connection in the house which has been constructed by him and his application for electric connection has been refused on the ground that higher authorities at the Board level have prevented to accept the same.

As per learned counsel for the petitioner, he has constructed the house over the plot of land details whereof has been given in the writ application.

Learned counsel for the Power Holding Company has submitted that the petitioner is not the true owner of the land and there is a dispute with regard to this land, therefore, the power cannot be granted to him.

It is not in dispute that the petitioner has constructed the house over the land, in question, rather in terms of the amended regulation, even a Rickshawala or a Jhopriwala is entitled for power connection.

In that view of the matter, the petitioner is directed to file an application before the competent authority along with the requisite fees as per law and, if he does so, his application will be considered



and the authority will grant power connection to the petitioner within a period of three months from the date of filing of the application.

This order will not grant any semblance of right, title and possession of the petitioner over the land, in question, but, it will always be subject to the final result of any suit or proceeding pending in any court or authority.

With the aforementioned observation and direction, this application is disposed of.

**(Shivaji Pandey, J)**

Rishi/-

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| AFR/NAFR          | NAFR       |
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