

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.24619 of 2018

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Sima Verma, Wife of Ashwani Kumar, Main Road (East), Bank Road Compound at Clinic premises, P.S. Muzaffarpur, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. North Bihar Power Distribution Company Ltd., 'Vidyut Bhawan', Bailey Road, Patna-800021 through its Managing Director.
2. The Electrical Executive Engineer, North Bihar Power Distribution Company Ltd, Works Division, Ramdayalu Nagar, Muzaffarpur.
3. Assistant Electrical Engineer, North Bihar Power Distribution Company Ltd., Electric Supply Sub- Division, Saraiyaganj, Muzaffarpur.
4. Muzaffarpur Vidyut Vitran Limited, Distribution and Franchise of North Bihar Power Distribution Company Limited, Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ajay Prasad, Adv.

For the Respondent/s : Mr. Kunal Tiwary, Assistant Standing Counsel.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 17-01-2019 After hearing Mr. Ajay Prasad, learned counsel representing the petitioner, this Court finds that the prayer made in the writ application is not as simple as it appears prima-facie. The writ application has been filed giving an impression that the petitioner is looking for a direction to the respondent authorities for grant of new electric connection to the petitioner's shop katra/clinic premises, but from the narration of facts in the writ application it is evident that the petitioner was availing electric connection earlier through long poles which according to the petitioner was provided by the then Assistant Electrical Engineer on 27.11.2018 who had also assured the petitioner that



the meter will be installed next day, but thereafter it was not installed. The writ application also reveals that one FIR has been lodged against the petitioner and assessment proceeding has been initiated under Section 126 of the Electricity Act. The petitioner is opposing the assessment proceeding on various grounds.

Learned counsel representing the North Bihar Power Distribution Company Ltd. has pointed out that it is not the case of the petitioner that he had made any application with the North Bihar Power Distribution Company Ltd. for installation of meter.

In the given facts and circumstances of the case, this Court is of the considered opinion that no mandamus can be issued directing the respondent authorities to install the meter, as prayed for. In case the petitioner is willing to get electric connection legally, he would be free to adopt the procedures which are prescribed for that purpose. In case the petitioner approaches the respondent authorities for new electric connection, the same shall be considered by the respondent authorities in accordance with the relevant Act and the Regulations framed thereunder.

It is expected that the decision, if any, on the request



of the petitioner, shall be taken within sixty days from the date
of receipt/production of a copy of this order.

This writ application is disposed off accordingly.

(Rajeev Ranjan Prasad, J)

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