

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5502 of 2019

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Baidhnath Singh, aged about 62 years (Male), Son of Late Desai Singh
R/o Residing at Abdul Rahmanpur, Katra Bazar, P.S. Didarganj
(Malsalami Azimabad), District Patna

... .. Petitioners

Versus

1. The State of Bihar through the Secretary of Energy Department,
Government of Bihar, Patna
2. The Chief Managing Director South Bihar Power Distribution
Company Ltd, Vidhut Bhawan, Patna
3. The Chief Engineer cum General Manager (PESU) Bihar, Patna
4. The Sub Divisional Officer Electricity, Patna City Division, Patna
5. The Executive Engineer Electricity Department, Katra Bazar, P.S.-
Malsalami, Bazar Samiti, Patna
6. The Junior Engineer Electricity, Katra Bazar, P.s.-Malsalami, Bazar
Samiti, Patna

... .. Respondents

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Appearance :

For the Petitioner/s	:	Mr.Md. Helal Ahmad, Advocate
For the State	:	Mr.Sushant Praveer, AC to SC9
For the SBPDCL	:	Mr. Vinay Kirti Singh, Sr. Advocate
		Mr. Vinay Kumar Verma, Advocate
		Mr. Akhileshwar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 06-11-2019 The petitioner in the present case is seeking a

direction to the respondent no. 2 and it's authorities to

consider his request for providing electricity connection in

the premises in question.

It is the case of the petitioner that he had, after

obtaining a power of attorney from his brother, on the

given piece of land constructed a residential home and

godown and has applied for electricity connection with the



South Bihar Power Distribution Company Limited (hereinafter referred to as the 'SBPDCL') on 06.09.2018. He has also deposited the security amount and other miscellaneous charges as per the receipts enclosed as Annexure '1' series to the writ application. The petitioner further disclosed that in fact the rent receipts and the rent possession certificates which were earlier issued in his name by the Circle Officer have been cancelled without any opportunity of hearing to the petitioner and the said matter is subjudice before this court in CWJC No. 1890/2019. A learned coordinate Bench of this court has, while hearing the said writ application, passed order dated 01.02.2019 as contained in Annexure '6' to the writ application and while issuing notice to the respondent no. 6, directed the parties to maintain status quo. It is submitted that in these circumstances the respondent authorities cannot sit on the application preferred by the petitioner for installation of electricity connection.

Learned counsel for the State and learned counsel for the 'SBPDCL' are present.

Learned counsel for the 'SBPDCL' submits that



presently he has no instruction in the matter, however instead of inviting a counter affidavit, the writ application may be disposed off giving liberty to the petitioner to approach the concerned Executive Engineer within whose jurisdiction the area in question is falling to look into the grievance of the petitioner and take an appropriate decision thereon.

In the given facts and circumstances of the case, this Writ Application is being disposed off with a direction to the Executive Engineer, 'SBPDCL' of the concerned area, to look into the grievance of the petitioner and take an appropriate decision thereon in accordance with law after giving an opportunity of hearing to the stake holders who may have any dispute with the petitioner. Let the whole exercise be completed within a period of two months from the date of receipt/production of a copy of this order.

The Writ Application stands disposed off accordingly.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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