

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4278 of 2024

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1. Kumar Shashi Kant, aged 45 years, Male, son of Lalan Prasad Gupta, resident of Ashiyana Digha Road, near Rajiv Nagar Police Station, Patna at present resident of Chandra Vihar Colony, near Shiv Mandir, Road No.5, Police Station- Rajiv Nagar, Patna.
 2. Madhuri Kumari @ Madhuri Devi, aged 36 years, Female, W/o Uday Kumar, Resident of Shaktipuram, near Shri Ram Bhawan, Ashiyana Phase-2, Police Station-Rajiv Nagar, Patna.
 3. Archana Devi, aged 35 years, Female, wife of Deepak Kumar Chaudhari, resident of Vasant Vihar Colony, Ghurdaur Road, Police Station- Rajiv Nagar, Patna.

... .. Petitioner/s

Versus

1. The Bihar State Power Holding Company Limited through its Chairman, Vidyut Bhawan, Baily Road, Patna.
2. The South Bihar Power Distribution Company Limited through its Managing Director, Vidyut Bhawan, Bailey Road, Patna.
3. The General Manager-cum-Chief Engineer, Patna Electric Supply Union, South Bihar Power Distribution Company Limited, Baily Road, Patna.
4. The Executive Engineer, Electric Supply Division, South Bihar Power Distribution Company Limited, Ashiyana, Patna.
5. The Assistant Electrical Engineer, Electric Supply Sub- Division, South Bihar Power Distribution Company Limited, Ashiyana, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Gyan Prakash, Advocate.

For the Respondent/s : Mr. Vinay Kirti Singh, Advocate.

CORAM: HONOURABLE MR. JUSTICE A. ABHISHEK REDDY
ORAL ORDER

2 19-04-2024 Heard learned counsel for the parties.

2. 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. 5 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 Rajiv Nagar Police Station, District-Patna.

(ii) For holding that in view of the order passed by the Honable Supreme Court in Civil Appeal No.7572/2011 (Sri Chandu Khamaru Vs. Smt. Nayan Malik and others), the owner/ occupier of the premises has 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 a 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 person, who is 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.”

3. Learned counsel appearing on behalf of the respondents has stated that the writ petition may be disposed of with a direction to the Respondent No. 5 to accept the application made by the petitioners along with the requisite



amounts and consider the same in accordance with law.

4. Having regard to the above made submissions, the present writ petition is disposed of with a direction to the Respondent No. 5 to accept the application of the petitioners for an electrical connection along with the requisite amount and consider the same strictly in accordance with law. The Respondent No 5 is directed to consider the said application within a period of four weeks from the date of the copy of the receipt of this order.

5. With the above directions, the present writ petition stands disposed of to the extent indicated above.

(A. Abhishek Reddy, J)

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