

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4527 of 2024

1. Pankaj Tiwari Son of Akhilesh Tiwari, Resident of Village- Harpur Kothi, Police Station - Janta Bazar, District - Saran at Chapra, at present Resident of Madubanpuri Phase 1, Ashiyana Nagar, Rajiv Nagar, Patna- 800025.
2. Md. Salam @ Mohammad Salam, Son of Late Janab Dost Mohammad, Resident of Mohalla - House No. 52, Samanpura, Front of Holi Vision School, Samanpura Road, Rukanpura, Police Station - Shastrinagar, District- Patna at present Resident of Mahavir Colony, Ashiyana Nagar, Rajiv Nagar, Patna- 800025.
3. Pramod Kumar, Son of Brij Nandan Ray @ Braj Nandan Ray, Resident of Mohalla - Digha Flour Mill, Police Station - Digha, District- Patna at present Resident of Shaktipuram Colony, Ashiyana Nagar, Rajiv Nagar, Patna - 800025.
4. Shyam Kumar, Son of Brij Nandan Ray, Resident of Mohalla - Digha Flour Mill, Police Station - Digha, District - Patna at present Resident of Shaktipuram Colony, Ashiyana Nagar, Rajiv Nagar, Patna- 800025.

... Petitioners

Versus

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

... Respondents

Appearance :

For the Petitioner/s : Mr.Sachin Kumar, Adv.
For the Respondent/s : Mr.Vinay Kirti Singh, Sr. Adv.

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

2 09-04-2024 Heard the parties.

2. The present writ petition has been filed for the
following relief(s) :



(i) For issuance of a writ in the nature of mandamus commanding the respondent authorities, particularly respondent no. 6 & 7 i.e. the Assistant Electrical Engineer, Electric Supply sub- Division, South Bihar Power Distribution Company Limited, Digha, Patna, the Assistant Electrical Engineer, Electric Supply sub- Division, South Bihar Power Distribution Company Limited, Ashiyana, to accept the application of petitioner for an electrical connection and allow them to deposit the requisite amount for supply of an electrical connection to the premises of the petitioner situated Rajiv Nagar Police Station & 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. 7572/2011 (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 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 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 petitioner within one month of the



*receipt of the application of the petitioner for electric
connation.*

3. Learned counsel appearing on behalf of the respondents has stated that the present writ petition may be disposed off with a direction to the Respondents No. 6 and 7 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 submission, the present writ petition is disposed off with a direction to the Respondents No. 6 and 7 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 Respondents No. 6 and 7 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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