

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5064 of 2024

1. Mamta Kumari Wife of Dev Prasad Ray, Resident of Mohalla- 25B Zee School Rajiv Nagar, Keshari Nagar, Police Station-Rajiv Nagar, District-Patna, at present Resident of Madhubanpuri Colony, Phase-1, P.S.-Rajiv Nagar, Patna.
2. Sandeep Kumar Singh, Son of Birendra Kumar Singh, Resident of Mohalla-Ram Nagri, Ashiana Nagar, Sectore-4, Police Station- Rajiv Nagar, District-Patna, at present Resident of Shaktipuram Colony, P.S.-Rajiv Nagar, District-Patna
3. Deepika Rani, Wife of Subhash Chandra, Resident of Mohalla- Opp Ranjan Plaza Main Road Kankarbagh, Police Station- Kankarbagh, District- Patna at present Resident of Mahavir Colony Road no.-5B, Police Station-Rajiv Nagar, District-Patna
4. Abhishek Kumar, Son Madan Mohan Prasad Srivastava, Resident of Mohalla- ward No-18 Bhagwanpur, Police Station- Muzaffarpur Sadar, District- Muzaffarpur at present Resident of Shaktipuram Colony, Police Station -Rajiv Nagar, District- Patna
5. Rajnish Kumar, Son Nande Kishor Prasad, Resident of Mohalla- ward No-10, Sambhupatti, Police Station- Samastipur Muffasil, District- Samistipur at present Resident of Shaktipuram Colony, Police Station -Rajiv Nagar, District-Patna
6. Rama kant Yadav, Son Ram Lalla Yadav, Resident of Mohalla- 63, Dhana, Dulhin Bazar, Nisarpura, Police Station- Bikram, District- Patna at present Resident of, Shaktipuram Colony, Police Station -Rajiv Nagar, District-Patna
7. Kumar Avishek, Son Gupteshwar Prashad Singh, Resident of Mohalla- 504/B1, Adarsh Colony, Club Road, Police Station- Arrah District- Bhojpur at present Resident of Shaktipuram Colony, Police Station -Rajiv Nagar, District-Patna
8. Shanki Kumari, wife of Sri Abhishek Kumar, Resident of Mohalla-Daiguttu, Dhobi Line, Near Shiv Mandir, Police Station- Jamshedpur, District- East Singhbhum at present Resident of Chandra Vihar Colony Road no.-14, Police Station -Rajiv Nagar, District-Patna
9. Anjali Sinha, Wife of Vishnu Kumar Sinha, Resident of Mohalla Shivji Path, Yarpur, G.P.O., Police Station- Jakkanpur, District- Patna at present Resident of Ghurdaur Road, Digha, P.S.-Rajiv Nagar, District- Patna
10. Sangita Devi, Wife of Dhananjay Rai, Resident of Village- Chillari, Police Station- Dumrao, District- Buxar. at Present Resident of Shaktipuram Colony, Police Station -Rajiv Nagar, District-Patna
11. Manita Kumari, Daughter of Dev Prasad Ray, Resident of Mohalla - Rajiv Nagar, Road No-25B, Keshari Nagar, Police Station- Rajiv Nagar, District-Patna at present resident of Madhubanpuri Colony Phase-1, Police Station - Rajiv Nagar, District-Patna
12. Sapna Singh, Wife of Vivek Kumar Singh Resident of Flat no.-104, Premkunj Apartment,near Bank Of Baroda, Kurji, Police Station-Kurji



Patna,at present Mahadeopath Road no.-3, behind Karpuri Sadan Police
Station- Rajiv Nagar, District- Patna. ... 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, Baily 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

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Appearance :

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

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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. 5, 6 & 7 i.e. the Assistant Electrol Engineer, Electric Supply sub- Division, South Bi Power Distribution Company Limited, Digha, Pa the Assistant Electrical Engineer, Electric Supplys 地 Division, South Bihar Power Distribution Company Limited, Ashiyana, to accept the application of petitioner for an electrical connection and allow them



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 connection.

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 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 submission, the present writ petition is disposed off 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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