

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5449 of 2024

1. Avinash Kumar son of Ram Nandan Singh Resident of A-326, A.G. Colony, Post- Ashiyana Nagar, Police Station - Shastri Nagar, Patna at present resident of Chandra Bihar Colony, Road No.-3 Police Station- Rajiv Nagar, Patna.
2. Pramod Kumar, son of Dinesh Prasad Singh resident of Kali Mandir Road, North of 90 fit Road, Police Station - Rajiv Nagar, Patna.
3. Khushboo Kumari, wife of Ramakant Tiwari resident of Bajrang Vihar Colony, Behind Badhai Committee Hall, Digha- Ashiyana Road, Uttari Nepali Nagar, Police station- Rajiv Nagar, Patna.
4. Monika Kumari, wife of Janardan Chaubey, resident of Vasant Vihar Colony, Near S.S.B Camp, Ghurdaur Road, Police Station- Rajiv Nagar, Patna.
5. Jay Prakash, Son of Ramashrai Prasad, resident of Chandra Vihar Colony, Road No.11, Police Station- Rajiv Nagar, Patna.
6. Om Prakash, Son of Brig Nandan Prasad, resident of Magadh Colony More, Near Maa Kali Enterprises, 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 Executive Engineer, Electric Supply Division, South Bihar Power Distribution Company Limited, Digha, Patna.
6. The Assistant Electrical Engineer, Electric Supply Sub- Division, south Bihar Power Distribution Company Limited, Ashiyana, Patna.
7. The Assistant Electrical Engineer, Electric Supply Sub- Division, South Bihar Power Distribution Company Limited, Digha, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Gyan Prakash, Adv.
	:	Ms. Parul Priya, Adv.
For SBPDCL	:	Mr. Kumar Priya Ranjan, Addl. SC
	:	Mr. Sandeep Kumar, Adv.
For the Respondent/s	:	Mr. Vinay Kirti Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE A. ABHISHEK REDDY



ORAL ORDER

2 29-04-2024 Heard the learned counsel for the parties.

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 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 petitioners within one month of the receipt of the application of the petitioners for electric connection.

v. For any other direction, which Your Lordships may deem fit and proper in the facts and circumstances of the case.”



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. 6 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. 6 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. 6 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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