

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6677 of 2024

1. Manjay Kumar, son of Bhrigunath Ray, resident of mohalla-Digha Polson, Opp. Ankur Public School, Police Station- Digha, District-Patna, at present Resident of Mohalla-Shaktipuram Colony, Ashiyana Nagar, Police Station- Rajiv Nagar, District- Patna
2. Chandra Deo Prasad, son of Sohrai Mahto, resident of Mohalla- Chandra Vhar Colony, Ashiana Nagar, Ashiana- Digha Road, Police Station- Rajiv Nagar, District- Patna
3. Uday Kumar Ojha, son of Krishna Nath Ojha resident of mohalla- Agauthar Sundar, Agauthar Nanda, Police Station- Ishupur, District-Saran at present resident of Mohalla- Shaktipuram Colony, Ashiana Nagar, Police Station, Rajiv Nagar, District- Patna
4. Anil Kumar, son of Raghunath Singh, resident of village- ward no.- 02, Sisoni Parbodhi, Police Station- Sarai, District- Vaishali at Hajipur at present Resident of Mohalla- Madhubanpuri Colony, Ashiana Nagar, Police Station- Rajiv Nagar, District- Patna.
5. Manju Devi, wife of Bir Bahadur Singh Resident of village- Chakarahansi, Panrepatti, Police Station- Buxar, District- Buxar at present Resident of Mohalla- Madhubanpuri Colony, Ashiana Nagar, Police Station- Rajiv Nagar, District- Patna.
6. Vijay Shankar Jha, son of Ramanand Jha resident of Mohalla- 155/B. 07, Near Baby Park, Rajendra Nagar, Police Station- Kadamkuan District- Patna at present Resident of Mohalla- Mahavir Colony, Ashiana Nagar, Road No.- 10, Police Station- Rajiv Nagar, District- Patna
7. Alok Kumar, son of Sri Shailendra Kumar Mishra, resident of village- Chhatapur, Police Station- Chhatapur, District- Supaul at present Resident of Mohalla- B 2, Jai Prakash Nagar, Police Station- Rajiv Nagar, District- Patna.
8. Gita Singh, wife of Devendra Kumar Singh resident of village- Gidha, Police Station- Kailwar, District- Bhojpur at present resident of mohalla- Mhavir Colony 5A, Ashiana Nagar, Police Station- Rajiv Nagar, District- Patna.
9. Ritesh Kumar, son of Bhuneshwar Prasad Srivastava, resident of Mohalla- Chandra Vihar Colony, Ashiana Nagar, Ashiana- Digha Road, Police Station- Rajiv Nagar, District- Patna.

... .. Petitioner/s

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, Bali 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

... .. Respondent/s

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 26-04-2024 Heard learned counsel for the parties.

2. The present Writ Petition has been filled for the following reliefs:-

“(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 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 petitioner stands disposed off to the extent indicated above.

(A. Abhishek Reddy , J)

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