

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6785 of 2024

1. Awadesh Singh, Son of Late Deva Nandan Singh Resident of Mahatma Gandhi Path, Gali No. 4, Kurji, Balupur, Police Station- Digha, Patna at present Maa Kaali Mandir Road, North of 90 Feet Road, Atal Nagar, Police Station- Rajiv Nagar, Patna.
2. Ram Shankar Sinha, Son of Late Suresh Prasad Sinha Resident of Vasant Vihar Colony, Uttari Nepali Nagar (Atal Nagar), Police Station- Rajiv Nagar, Patna.
3. Smt Kunti Devi, Wife of Sri Ramchandra Prasad Resident of Maa kali Mandir Road, North of 90 Feet Road, Atal Nagar, Police Station- Rajiv Nagar, Patna.
4. Punam Kumari, Wife of Om Prakash Singh resident of Shaktipuram, near Shri Ram Bhawan, Police Station - Rajeev Nagar, Patna.

... .. Petitioner/s

Versus

1. The Bihar State Power Holding Company Limited through its chairman, Vidyut Bhawan, Bailey Road, Patna.
2. The South Bihar Power Distribution Company Ltd. 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 Ltd, Digha Patna.
5. The Executive Engineer, Electric Supply Division, South Bihar Power Distribution Company Ltd, Ashiyana, Patna.
6. The Assistant Electric Engineer, Electric Supply Sub Division, South Bihar Power Distribution Company Lmt., Digha, Patna.
7. The Assistant Electric Engineer, Electric Supply Sub Division, South Bihar Power Distribution Company Lmt, Ashiyana, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Gyan Prakash, Adv. Ms. Parul Priya, Adv.
For the SBPDCL	:	Mr. Anand Kumar, Adv. Mr. Rajan Prakash, 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 and 7 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 and 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 a month.

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.



*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 Nos. 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 submissions, the present writ petition is disposed of with a direction to the Respondent Nos. 6 and 7 to accept the application of the petitioners for an electrical connection along with the requisite amounts and consider the same strictly in accordance with law. The Respondent Nos. 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 petitioner stands disposed off to the extent indicated above.

(A. Abhishek Reddy , J)

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