

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7972 of 2024

=====

Arun Kumar Gupta S/o Late Baidya Nath Prasad Resident of Gulab Vatika
2nd Floor, Behind Daya Nand Kanya School, Mithapur, P.S.- Jakanpur,
District- Patna. At Present resident of Chandra Vihar Colony, P.S. Rajiv
Nagar, District- 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 Ltd., Vidyut Bhawan Bailey
Road, Patna.
4. The Executive Engineer, Electric Supply Division South, Bihar Power
Distribution Company Ltd., Ashiyana, Patna.
5. The Assistant Electric Engineer, Electric Supply Sub- Division, South Bihar
Power Distribution Company Ltd. Ashiyana, Patna.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Satyendra Rai, Adv.
For the Respondent/s	:	Mr. Vinay Kirti Singh, Adv.
For the BSPHCL	:	Dr. Anand Kumar, Adv.
		Mr. Rajan Prakash, Adv.

=====

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

2 17-05-2024 Heard learned counsel for the parties.

2. 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 house of the petitioners situated Rajiv Nagar, 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."

3. Learned counsel appearing on behalf of the respondents has stated that the writ petition may be disposed off with a direction to the Respondent No. 5 to accept the application made by the petitioner 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 off with a direction to the Respondent No. 5 to accept the application of the petitioner 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)

Gauravkr/-

U			
---	--	--	--

