

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7953 of 2024

1. Sanjay Kumar Son of Babanbihari Prasad, Resident of Netaji Subhash Marg, Atal Nagar Ward No.2, Police Station- Rajiv Nagar, Patna.
2. Om Prakash, Son of Ramji Ray, Resident of Ramkrishna Nagar, Digha-Polson Road, Police Station- Digha, Patna.
3. Shiv Shankar Ram, Son of Rajbanshi Ram, Resident of Salonepur, Post-Markan, Police Station- Hussainganj, District- Siwan at present resident of Jai Prakash Nagar, Behind May Flower School, Police Station- Digha, Patna.
4. Ram Kumar, Son of Bachcha Sahu, Resident of Bajrang Bihar Colony, Near AK Marble Shop, Police Station- Rajiv Nagar, Patna.
5. Anil Kumar Thakur, Son of Raj Kishor Thakur, Resident of Uttari Nepali Nagar, Near Gyan Niketan School, Police Station- Rajiv Nagar, Patna.
6. Raghunandan Mandal, Son of Tarkeshwar Mandal, Resident of Magadh Colony opposite Maa Kali Enterprises, Police Station- Rajiv 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, Bailey Road, Patna.
4. The Executive Engineer, Electric Supply Division, South Bihar Power Distribution Company Ltd., Digha, Patna.
5. The Assistant Electric Engineer, Electric Supply Sub Division, South Bihar Power Distribution Company Ltd., Digha, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Gyan Prakash, Adv. Miss. Parul Priya, Adv.
For the Respondent/s	:	Mr. Vinay Kirti Singh, Adv.
For the SBPDCL	:	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 premises 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			
---	--	--	--

