

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8995 of 2024

1. Snehlata Kumari, Wife of Sudheer Kumar @ Sudhir Kumar, Resident of village- Dhira, Khajuri, Police Station- Naubatpur, District- Patna, at present Resident of Mohalla- North Nepali Nagar, Near International School, Ghurdaur Road, Police Station- Rajiv Nagar, District- Patna.
2. Ekta Bharti, Daughter of Nawal Kishor Singh, Resident of Village- Hariabara, Police Station- Araria, District- Araria at present Resident of Mohalla- Madhubanpuri phase-1, Gandhi Nagar, Ashiana Nagar, Police Station- Rajiv Nagar, District- Patna.
3. Soni, Wife of Ranjeet Prasad, Resident of Mohalla- Jawahar Navoday Vidyalaya, Dhoom Manikpur, Police Station- Dadri, District- Gautam Buddha Nagar at Present Resident of Mohalla- Chandra Vihar Colony, Ashiana Nagar, Ashiana-Digha Road, Police Station- Rajiv Nagar, District- Patna.
4. Shailendra Kumar Singh, Son of Late Tej Pratap Singh, Resident of village- Sikarpur, Police Station- Sonpur, District- Saran at present Resident of Mohalla- Shaktipuram Colony, ASiana Nagar, Police Station- Rajiv Nagar, District- Patna.
5. Alpna Sinha, Wife of Prabhat Kumar Sinha, Resident of Mohalla- Raghunathola, Police Station. Gardanibagh, District- Patna at present Resident of Mohalla. North Nepali Nagar, Near International School, 90 feet, Ghurdaur Road, Police Station- Rajiv Nagar, District- Patna.
6. Ajit Singh, Son of Chandrama Singh, Resident of Village- Gyanpura, Geyanpura, Police Station- Udwanatnagar, District-Bhojpur at present Resident of Mohalla- Chandra Vihar Colony. Ashiana Nagar, Road No-5, Police Station -Rajiv Nagar, District-Patna.
7. Amresh Kumar Jha, Son of Amod Narayan Jha, Resident of Mohalla- Rajiv Nagar, Road No. 24. Police Station- Rajiv Nagar, District- Patna at present Resident of Mohalla- Shaktipuram Colony, Nepali Nagar, Police Station Rajiv Nagar, District-Patna
8. Upendra Singh, son of Late Raghunath Singh, Resident of Mohalla-New Capital, Dhobi Ghat, Phulwari, Police Station- Phulwari, District-Patna at present Resident of Mohalla-Shaktipuram Colony, Nepali Nagar. Ashiana Nagar, Police Station-Rajiv Nagar, District- Patna.
9. Kedar Kumar Singh, son of Sakal Singh, Resident of Mohalla-Shaktipuram Colony, Nepali Nagar, Ashiana Nagar, Police Station-Rajiv Nagar, District- Patna.
10. Harsh Kumar, son of Ram Sushil Rai, Resident of Mohalla- Ramjichak Gandhi Road, Bataganj Near Bharat Gas Agency Road, Police Station - Digha, District- Patna at present Resident of Mohalla-Shaktipuram Colony, Ashiana Nagar, Police Station-Rajiv Nagar, District- Patna.
11. Dharendra Narayan Choudhary, son of Shiv Kumar Choudhary, Resident of Village Darhar, Ward-13, South Tola, Laheria Sarai, Police Station- Laheria Sarai, District- Darbhanga at present Resident of Mohalla- Madhubanpuri phase-1, Ashiana Nagar, Police Station -Rajiv Nagar, District- Patna.



12. Sarmodh Mahto, Son of Thakur Mahto, Resident of Village- Dudhia, Dighwara, Police Station - Akilpur, District- Saran at present Resident of Mohalla- Nepali Nagar, 90 feet, behind Kali Mandir, 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, Baili 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, Asiyana, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Sachin Kumar, Adv.
For the Respondent/s : Mr.Vinay Kirti Singh, Sr. Adv.
Mr. Ajau Kr. Gautam, Adv.

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

2 25-07-2024 Heard the parties.

2. The present writ petition has been filed for the following relief(s) :

“(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 present writ petition may be disposed off with a direction to the Respondent Nos. 6 and 7 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 submission, the



present writ petition is disposed off with a direction to the Respondent Nos. 6 and 7 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 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 petition stands disposed of to the extent indicated above.

(A. Abhishek Reddy , J)

Bhardwaj/-

U			
---	--	--	--

