

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9249 of 2024

=====

Mohan Kumar, Son of Late Ayodhya Singh, Resident of Village- Motha Bhadasi, P.S. and District- Arwal.

... .. 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 Limited 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 Limited, Bailey Road, Patna.
5. The Assistant Electrical Engineer, Electric Supply Sub Division, South Bihar Power Distribution Company Limited, Ashiyana, Patna.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Dinu Kumar, Adv. Ms. Ritika Rani, Adv.
For the Respondent/s	:	Mr. Vinay Kirti Singh, Sr. Adv.

=====

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

2 29-07-2024 Heard the parties.

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

“(A) For commanding the respondents particularly Executive Engineer, South Bihar Power Distribution Company Limited, Bailey Road, Patna (respondent no. 4) to accept the application of the petitioner for electric connection and allow to deposit the petitioner to requisite amount for supply of electric connection to the premises of the petitioner situated at Chandra Bihar Colony, Road No. 3, Ashiyana Digha Road, P.S- Rajiv Nagar, District-Patna.

(B) To hold and declare application of the



petitioner for electric connection which has been withheld with remarks NOC required from Housing Board/Court order required as an act of arbitrariness, malafide, misuse of power, illegal and bad in law.

(C) 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.

(D) 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.

(E) For necessary direction upon the respondent authorities to provide electricity supply to the premises of the petitioners within one month of the receipt of the application of the petitioners 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 No. 4 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 No. 4 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. 4 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			
---	--	--	--

