

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9089 of 2024

1. Jimadar Singh, Son of Ram Lakhan Singh, Resident of Village-Jaffar Patti, Police Station-Rajapakar, District-Vaishali at Hajipur, at present resident of Mohalla-North Jaiprakash Nagar, Near Hanuman Mandir, Police Station-Rajiv Nagar, District-Patna.
2. Niranjana Kumar, son of Ram Dayal Ray, Resident of Mohalla-Banskothi, I.T.I. Hostel, Gate No. 93, Police Station-Digha, District-Patna, at present resident of Mohalla-Tulsi Nagar, Ramnagari Sector-4, Gandhi Nagar, Ashiana Nagar, Police Station-Rajiv Nagar, District-Patna.
3. Durga Kumar, son of Ram Ishwar Sah, Resident of Mohalla-Nalanda Colony, Akashwani Road, Near Aparajita Apartment, Khajpura, Near B.V. College, Police Station-Shastri Nagar, District-Patna, at present resident of Mohalla-Shaktipuram Colony, Ashiana Nagar, Police Station-Rajiv Nagar, District-Patna.
4. Kamlesh Kumar Singh, son of Virendra Singh, Resident of Village-Gaudar Rudar Nagar, Police Station-Shahpur, District-Bhojpur, at present resident of Mohalla-Shaktipuram Colony, Ashiana Nagar, Phase-2, Police Station-Rajiv Nagar, District-Patna-25.
5. Soni Devi, Wife of Sanjay Kumar @ Sanjoy Kumar, resident of Mohalla-Ward No. 2, Gandhi Nagar, Pahalwan Chowk, Ashiana Nagar, Police Station-Rajiv Nagar, District-Patna, at present resident of Mohalla-Ramnagri Sector-4, Gandhi Nagar, Ashiana Nagar, Police Station-Rajiv Nagar, District-Patna-25.
6. Ajit Kumar Panday, Son of Janardan Panday, resident of Village-Kusumhara, Police Station-Rajpur, District-Rohtas, at present resident of Tulsi Nagar Ramnagri Sector-4, Ashiana Nagar, Police Station-Rajiv Nagar, District-Patna-25.
7. Smita Kumari, Wife of Sanjeev Singh, Resident of Mohalla-House No. 1/34, Text Book Colony, Keshri Nagar, Near Baba Chowk, Police Station-Rajiv Nagar, District-Patna, at present resident of Mohalla-Chandra Vihar Colony, Road No. -5, Ashiana Nagar, 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, Bali 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, Ashiyana, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Sachin Kumar, Adv.
For the Respondent/s : Dr. Anand Kumar, Adev.
Mr. Rajan Prakash, 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)

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