

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11552 of 2024

1. Usha Devi, Wife of Sikandar Prasad, Resident of Mohalla-Jay Prakash Nagar, Police Station-Shastrinagar, District-Patna, at present resident of Mohalla-Shaktipuram Colony, Nepali Nagar, Ashiyana Nagar, Police Station-Rajiv Nagar, District-Patna.
2. Batehsvar Prasad Singh, Son of Ram Naresh Singh, C/o B.P. Sinkgh, Resident of Mohalla-House No. E-3/3, IGIMS Campus, Sheikhpura, Police Station-Sastrinagar, District-Patna, at present resident of Moalla-Digha Ashiyana Road, South of CRPF Camps, Near Umbrella Hotel, Police Station-Digha, District-Patna.
3. Rabodh Kumar, Son of Dinesh Prasad Singh, Resident of Mohalla-Nepali Nagar, Ashiyana Nagar, Sector-VII, Police Station-Rajiv Nagar, District-Gautam Buddha Nagar at present resident of Mohalla-Atal Nagar, 90 Feet, Ghurdaur Road, Ashiana Nagar, Police Station-Rajiv Nagar, District-Patna.
4. Geeta Devi, Wife of Dharmendra Kumar, resident of Village-Padmaul, Police Station-Tisiauta, District-Vaishali at Hajipur, at present resident of Mohalla-Mahavir Colony, Road No. 10, Ashiana Nagar, Police Station-Rajiv Nagar, District-Patna.
5. Shlpi Kumari, D/o Nawal Kishore Prasad, Wife of Sanjeev Kumar, Resident of Mohalla Nepali Nagar, Sector-7, Ashiyana Digha Road 90 feet, Ashiyana Nagar, Police Station-Rajiv Nagar, District-Patna.
6. Mahesh Singh, son of Ramji Singh, resident of Mohalla-Mazar Gali, Opp of Shuci Complex, Seikhpura, Police Station-Rukanpura, District-Patna at present resident of Mohalla-Sahyog Colony, North Nepali Nagar, Ashiyana Nagar, Police Station-Rajiv Nagar, District-Patna.
7. Neha Kumari, Wife of Ajay KUMAR, resident of Village-Panjari, Police Station-Natwar, District-Rohtas at present resident of Mohalla-Shaktipuram Colony, Nepali Nagar, Police Station-Rajiv Nagar, District-Patna.
8. Shiv Shankar Paswan, Son of Hari Narayan Paswan, F NO 305 Block B Apama Residency, IAS COLONY, Baily Road, Police Station-Danapur, District Patna at present resident of Mohalla-Tulsi Nagar, Ramnagri Sector-4, Ashiyana 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, 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, Ashiyana, Patna.

... .. Respondent/s

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Appearance :

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

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

2 11-09-2024 Heard the parties.

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

“(1) 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 of with a direction to the Respondent Nos. 6 and 7 to accept the application made by the petitioners 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 of with a direction to the Respondent Nos. 6 and 7 to accept the application of the petitioners 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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