

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11967 of 2024

1. Lal Babu Ray Son of Dogdhai Ray, Permanent resident of Village-Jaunpur, P.O.-Jaunpur, District-Samastipur.
2. Rajdeo Ray, son of Parma Rai, resident of Sector 04, P.O.-Phulwari, Patna, Bihar, at present Harsame Chowk, P.O.-Madhopur, District-Patna.
3. Ganesh Ray, son of Jathu Ray, Permanent resident of Kakariya, Godan Patti, P.O. , Muzaffarpur, 843118.
4. Sujeet Kumar, son of Late Lal Das Singh, resident of Tarwan, P.O.-Suitha, P.S.-Parsa Bazar, District-Patna, Permanent resident of 153/3 Block-D, New Alipur, Kolkata, Pin-700053, Bihar.
5. Sema Kumari, wife of Niranjan Kumar, Permanent resident of Makdunpur, Gate No. 89, Bajidpur Digha, Natthachak, Patna-800011, at present Baskothi, Digha Gate No. 93-94, P.O.-Digha Ghat, P.S. Digha, Pin-800011.
6. Sushila Devi, Wife of Satrugan Sinha, Permanent resident of Near Bank of India, Bhathe Tola, Biyapur, Patna-801503. at present Rajiv Nagar, Near Badhai Marriage Hall, Bajrang Bihar Colony, Patna-800024.
7. Prakash Kumar Ranjan, son of Sukhien Prakash Yadav, Permanent resident of Shiv Nagar Tola, P.O. Gurukul Mehiya, Mehiyan, Saran, Bihar-841301.
8. Ashutosh Kumar, son of Dayanand Saw, Permanent resident of West Patel Nagar, Flat No. 303B, Ma Ambika Complex, Mahavir Colony, P.O.-L.B.H. Nagar, District-Patna-800023, presently residing at JJ Complex, Boring Road, P.S. Budha Colony, Post-GPO, Patna-800001.
9. Pankaj Kumar Singh, son of S.B. Singh, Permanent resident of House No. 1/91, Loha Gate, Text Book Colony, Keshri Nagar, Patna-800024.
10. Chirag Vansh, son of Ajay Kumar, Permanent resident of Magistrate Colony, Jagriti Nagar, Ashiyana, Near Ranjan Palace, Patna-800025.

... .. Petitioner/s

Versus

1. The Bihar 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, Danapur, Patna.
5. The Executive Engineer, Electric Supply Division, South Bihar Power Distribution Company Limited, Ashiyana, 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. Rohit Kumar, Adv.
For BSPHCL : Mr. Deepak Kumar, Adv.
For the Respondent/s : Mr. Vinay Kirti Singh, Adv.

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

2 20-08-2024 Heard the learned counsel for the parties.

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. 6 and 7 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 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 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 petitioners within one month of the receipt of the application of the petitioners for electric connection.

v. For any other direction, which Your Lordship may deem fit and proper in the facts and circumstances of the cases.”



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 & 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 & 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 & 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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