

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14537 of 2024

1. Vishal Kumar Son of Mathura Prasad, Resident of Mohalla - Adarsh Colony, Road No.5, North Shastrinagar, L.B.S Nagar, Police Station- Shastrinagar, District- Patna, at present Resident of Mohalla- Shaktipuram Colony, Ashiyana Nagar, Police Station- Rajiv Nagar, District-Patna.
2. Meena Devi, Wife of Manoj Singh, Resident of Mohalla -Digha Ghat, Main Road, Danapur Cum Khagaul, Police Station- Digha, District- Patna at present Resident of Mohalla- Shaktipuram Colony, Ashiyana Nagar, Police Station -Rajiv Nagar, District-Patna
3. Anisha Kumari, Wife of Vijay Kumar Singh, Resident of Village - Chamari Chak, P.O.- Jamshaut, Danapur, Police Station- Sahpur, District- Patna at present Resident of Mohalla- Chandra Vihar Colony, Road No.- 14, Police Station -Rajiv Nagar, District-Patna
4. Usha Tiwari, Wife of Ravindra Kumar Tiwari, Resident of Mohalla- C.D.A Colony, North Shastrinagar, Police Station Shastrinagar, District- Patna at present Resident of Mohalla Uttari Bajrang Vihar Colony, North Nepali Nagar, Police Station -Rajiv Nagar, District-Patna
5. Vandana Vikarm, Wife of Prem Kumar Singh @ Perm Kumar Singh, Resident of Village -Tulsi Chak, Dihari, Punpun, Police Station- Kadirganj, District- Patna at present Resident of Mohalla- Shaktipuram Colony, Ashiyana Nagar, Police Station -Rajiv Nagar, District-Patna
6. Soni Kumari, Wife of Santosh Kumar, Resident of Village- Piania, Post Office- Piania, Police Station- Udawant Nagar, District-Bhojpur at present Resident of Mohalla- Madhuvanpuri Phase-1, Radha Krishna Path, Ashiyana Nagar, Police Station -Rajiv Nagar, District-Patna
7. Raj Kumar Yadav, Son of Janaradhan Prasad Ray, Resident of Village- Basaontola Nagari Gasaon Basantpur, P.O.- Basaon, Police Station- Basantpur, District- Siwan at present Resident of Mohalla- Chandra Vihar Colony, Road No.-6, Police Station - Rajiv Nagar, District-Patna.
8. Nikolash Budho Das, Son of Joseph Ajay Das @ Ajay Das, Resident of Mohalla- Raja Bazar, Machhli Gali, Baily Road, Police Station- Shastrinagar, District Patna at present Resident of Mohalla-Shaktipuram Colony, Ashiyana Nagar, Police Station - Rajiv Nagar, District- Patna.
9. Chandeshwar Prasad, Son of Late Tulshi Mahto, Resident of Village- Nanand, Police Station- Silao, District- Nalanda at present Resident of Mohalla- Digha Ashiyana Road, South of CRPF Camp, Near Umbrella Hotel, Police Station -Digha, District- Patna
10. Gautam Kumar, Son of Kedar Thakur, Resident of Mohalla- Kurji Balu Par, Post office- Sadakat Ashram, Police Station- Digha, District-Patna at present Resident of Mohalla- Vakil Lane, Mahavir Colony, Road No.- 5B, Nepali Nagar, Police Station- Rajiv Nagar, District- Patna.
11. Dhananjay Kumar, Son of Yogendra Ray, Resident of Village - Natka Diyara, Danapur Cum Khaugal, Police Station- Digha, District- Patna at present Resident of Mohalla- Tulsi Nagar, Ramnagri Sector- 4, Police Station - Rajiv Nagar, District- Patna



12. Arvind Kumar, Son of Late Hari Narayan Ray, Resident of Mohalla- Ahiran Gali Bataganj, Police Station- Digha, District- Patna at present Resident of Mohalla- Pahalwan Chowk, Gandhi Nagar, Ashiyana Digha Road, Police Station -Digha, District- Patna
13. Shiv Kumar, Son of Laln Ray @ Lalan Ray, Resident of Mohalla- Uttari Jayprakash Nagar, Ashiyana Nagar, Police Station- Digha, District- Patna at present Resident of Mohalla-Shaktipuram Colony, Ashiyana Nagar, Police Station -Rajiv Nagar, District- Patna
14. Harishankar Prasad, Son of Late Dhanipat Sah Resident of Village-Narkatiya, Police Station- Sonbarsa, District- Sitamarhi at present Resident of Mohalla- Chandra Vihar Colony, Ashiyana Nagar, Police Station -Rajiv Nagar, District- Patna
15. Anshu Kumar, Son of Brijnandan Singh @ Brij Nandan Sharma, Resident of Village - Gandhar, P.O.- Bandhuganj, Police Station- Ghoshi, District- Jahanabad at present Resident of Mohalla- Mahavir Colony. Ashiyana Nagar, Police Station - Rajiv Nagar, District- Patna
16. Binay Bhushan Rai, Son of Late Sri Nath Rai, Resident of Mohalla- 103 Shivam Palaza, Shivpuri, C.P. Thakur Path, Police Station- Shastrinagar, District- Patna, at present Resident of Mohalla- Jayprakash Nagar, Road No.- 5, Police Station -Rajiv Nagar, District-Patna
17. Shila Upadhyay, Wife of Hari Upadhyay, Resident of Mohalla- Ward No.- 10, Bazaar Dafai, Ramnagar Dola, Bhalmudi, Rajnagar, Colliery, Police Station- Ramnagar, District- Anuppur at present Resident of Mohalla-Chandra Vihar Colony, Road No. 4, Ashiyana Nagar, Police Station - Rajiv Nagar, District- Patna.
18. Manoranjan Kumar, Son of Mahendra Nath Upadhyay, Resident of Village-Gangajaln Tola, P.O.- Sonpur, Police Station- Sonpur, District-Saran at present Resident of Mohalla Chandra Vihar Colony, Road No.- 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

Appearance :

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

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

2 08-10-2024 Heard learned counsel for the parties.

2. 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 & 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.”



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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