

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16457 of 2024

1. Anish Kumar, Son of Madan Rai, Resident of Mohalla - Yaduvanshi Nagar Digha Ghat, Police Station- Digha, District- Patna, at present Resident of Mohalla- Tulshi Nagar, Ramnagri Sector-4, Ashiyana Nagar, Police Station- Rajiv Nagar, District-Patna
2. Lalita Devi, Wife of Harinath Sah Resident of Mohalla -House No. 76, Road No. 15, Near Durga Chauk, Police Station- Patliputra, District- Patna at present Resident of Mohalla Bajrang Vihar Colony, Uttri Nepali Nagar, Police Station -Rajiv Nagar, District-Patna
3. Dhananjay Kumar Singh, Son of Hridya Narayan Prasad Resident of Village -Nabihata Kail, Police Station- Barharia, District- Siwan at present Resident of Mohalla- Madhuvanpuri Phase-1, Ghandhi Nagar, Ashiyana Nagar, Police Station -Rajiv Nagar, District-Patna
4. Anchal Singh, Son of Vinay Singh Resident of Village Manjhagarh, Manjha, Post Office- Garhmanjha, Police Station- Manjhagarh, District-Gopalganj at present Resident of Mohalla- Madhuvanpuri Phase-I, Gandhi Nagar, Ashiyana Nagar, Police Station -Rajiv Nagar, District- Patna
5. Sanjay Kumar, Son of Prabhunath Singh Resident of Village-Balchand Hata, P.O.-Sundri, Police Station-Siwan Town, District-Siwan at present Resident of Mohalla- Madhuvanpuri Phase-1, Gandhi Nagar, Ashiyana Nagar, Police Station -Rajiv Nagar, District-Patna
6. Awadhesh Kumar Mishra, Son of Late Panchanand Mishra Resident of Mohalla- Khangar Gali, Pandriwa Gali, Behind Sales Tex Office Diwan Mohalla, Patna City, Police Station- Patna City Chowk, District Patna at present Resident of Mohalla Chandra Vihar Colony, Road No. 9, Ashiyana Nagar, Police Station - Rajiv Nagar, District- Patna.
7. Piyush kumar, Son of Manoj Kumar Singh Resident of Village-Bazidpur, Police Station- Bihata, District- Patna at present Resident of Mohalla- Chandravihar Colony, Ashiyana Nagar, Police Station -Rajiv Nagar, District-Patna
8. Ram Anuj Ray, Son of Chulhan Ray Resident of Mohalla- Jagat Bihar colony, Police Station-Rajiv Nagar, District-Patna at present Resident of Mohalla- Tulsi Nagar, Ramnagri Sector 4, Police Station -Rajiv Nagar, District-Patna
9. Deepak Singh, Son of Rakesh Kumar Singh Resident of Mohalla A.G. Colony, Near S.S. Complex, Ashiananagar, Police Station-Rajiv Nagar, District- Patna at present Resident of Mohalla- Madhuvanpuri Phase 1, Gandhi Nagar, Ashiyana Nagar, Police Station- Rajiv Nagar, District Patna
10. Hemanti Devi, Wife of Surendra Ram Resident of Village-Chorsua, Police Station- Pawapuri, District- Nalanda at present Resident of Mohalla- Shaktipuram Colony, Phase-2, Nepali Nagar, 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, Sr. Adv.
For the BSP Hoi. Com. Ltd		Dr. Anand Kumar, Adv.
		Mr. Ranjan Prakash, Adv.

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

2 14-11-2024 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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