

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17340 of 2024

1. Rajnish Kumar Son of Ramjee Ray Resident of Village- Kharika, Police Station- Sonpur, District- Saran, at present Resident of Mohalla- Shaktipuram, Ashiyana Nagar, Police Station - Rajiv Nagar, District- Patna.
2. Shushant Ranjan, Son of Shambhu Nath Rai, Resident of Village - Inatpur, Police Station- Patory, District- Samastipur at present Resident of Mohalla- Asiyana Digha Road, Near Rajiv Nagar Thana, Opp.- C.R.P.F. Camp, Police Station - Rajiv Nagar, District- Patna.
3. Tarkeshwar Singh, Son of Ram Awadh Singh, Resident of Mohalla- Prakash Nagar, Jagdam College, Chapra, Police Station- Town Thana, District- Saran at Colony present Resident of Mohalla Shaktipuram Colony, Ashiyana Nagar, Police Station- Rajiv Nagar, District- Patna.
4. Kumud Ranjan, Son of Late Banbari Prasad, Resident of Village- Kamal Bigha, Post Office- Bilary, Police Station- Katri Saray, District- Nalanda at present Resident of Mohalla- Mahavir Colony, Road No.- 9, Ashiyana Nagar, Police Station - Rajiv Nagar, District- Patna.
5. Mirtunjay Kumar Singh, Son of Satendra Singh, Resident of Village- Dahiyawan Tola, Tori Chapra, Near Shiv Mandir, Police Station- Chapra Mufasil, District-Saran at present Resident of Mohalla Shaktipuram Colony, Ashiyana Nagar, Police Station - Rajiv Nagar, District- Patna.
6. Ratnesh Kumar Singh, Son of Late Surendra Singh Resident of Village- Mora, Morakhas, Siwan, Police Station- Bhagwanpur Haat, District Siwan at present Resident of Mohalla- Shaktipuram Colony, Ashiyana Nagar, Police Station - Rajiv Nagar, District- Patna.
7. Hari Shanker Tiwari @ Hari Shankar Tiwari, Son of Vishram Tiwari, Resident of Village- Mathurapur, Nawada, Police Station- Awadpuri, District- Bhojpur at present Resident of Mohalla- Tulshi Nagar, Ramnagri Sector-4, Ashiyana Nagar, Police Station -Rajiv Nagar, District- Patna.
8. Anita Kumari @ Anita Devi, Daughter of Kedar Nath Singh, Resident of Village- Semra, Post office Jeeta Chapra, Police Station- Kathaiya, District- Muzaffarpur at present Resident of Mohalla- Shaktipuram Colony, Ashiyana Nagar, Police Station - Rajiv Nagar, District- Patna.
9. Kangress Kumar, Son of Ram Dinesh Yadav, Resident of Village- Kosiyawan, Near Barawan, Post Office- Barawan, Police Station- Pali, District- Patna at present Resident of Mohalla- Tulshi Nagar, Ramnagri Sector- 4, Ashiyana Nagar, Police Station- Rajiv Nagar, District- Patna.
10. Jayendra Saurav, Son of Brijnandan Roy, Resident of Village- Hathopur, Police Station- Daranunda, District- Siwan at present Resident of Mohalla- Madhubanpuri, Phase-1, Gandhi Nagar, Police Station- Rajiv Nagar, District- Patna.
11. Ramesh Kumar, Son of Rajendra Singh, Resident of Mohalla- Indrapuri Colony, Road No.- 1, Samanpura, Police Station- Shastrinagar, District- Patna at present Resident of Mohalla- Mahavir Colony, Ashiyana Nagar, Road No.- 8, Police Station- Rajiv Nagar, District- Patna.



... .. Petitioner/s

Versus

1. The Bihar State Power Holding Company Limited through its Chairman, Vidyut Bhawan, Baily Road, Patna.
2. The South Bihar Power Distribution Company Limited, through its Managing Director, Vidyut Bhawan, Baily 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 SBPCL	:	Dr. Anand Kumar, Adv.
	:	Mr. Rajan Prakash, Adv.
For the Respondent/s	:	Mr. Vinay Kirti Singh, Adv.

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

2 11-12-2024

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 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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