

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17339 of 2024

1. Siyamani Devi Wife of Anil Kumar, Resident of Chandra Vihar Colony, Road No. 05 Police Station - Rajiv Nagar, Patna, at present resident of Near Kali Mandir, Uttari Nepali Nagar, Police Station - Rajiv Nagar, Patna.
2. Meena Kumari, Wife of Amit Kumar, Resident of Narwan, Jamui, Police Station Dulhin Bazar, Patna. At present resident of Chandra Vihar Colony, Road No. 05, Police Station - Rajiv Nagar, Patna.

... Petitioners

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, Bailey Road, Patna.
3. The Bihar State Power Holding Company Limited through its Chairman, Vidyut Bhawan, Baily Road, Patna.
4. The South Bihar Power Distribution Company Limited through its Managing Director, Vidyut Bhawan, Bailey Road, Patna.
5. The General Manager-cum-Chief Engineer, Patna Electric Supply Union, South Bihar Power Distribution Company Limited, Bailey Road, Patna.
6. The Executive Engineer, Electric Supply Division, South Bihar Power Distribution Company Limited, Ashiyana, Patna.
7. The Assistant Electric Engineer, Electric Supply Sub Division, South Bihar Power Distribution Company Limited, Ashiyana, Patna.

... Respondents

Appearance :

For the Petitioners : Mr.Gyan Prakash, Adv.
For the Respondents : M/s Dr. Anand Kumar & Rajan Prakash, Advs.

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

2 26-11-2024 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.5 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 at 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. snt. 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 petitioners within one month of the receipt of the application of the petitioners for electric connection.

v. For any other direction, which Your Lordships may deem fit and proper in the facts and circumstances of the case. 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.



vi. For any other direction, which Your Lordships may deem fit and proper in the facts and circumstances of the case.

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 No. 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 off with a direction to the Respondent No. 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 No. 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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