

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18046 of 2024

1. Karyanand Singh Son of Mundrika Singh, Resident of Mohalla - Ranju Anand Bhawan, Ashiana Digha Road, Rajiv Nagar Road No.25, Near Sambodhi School, Ward No. 6 Ashiana Nagar, Police Station - Rajiv Nagar, District- Patna, at present Resident of Mohalla - Mahavir Colony Road No. 9, Ashiana Nagar, Police Station - Rajiv Nagar, District- Patna.
2. Jitendra Kumar, Son of Vasudev Ray, Resident of Mohalla- Pahalwan Market, New Punaichak, Boring Canal Road, Police Station - Kotwali, District - Patna at present Resident of Mohalla - C.D.A Colony, Near Panch Mandir, Police Station - Shastrinagar, District- Patna.
3. Manju Singh, Wife of Manoj Kumar Singh, Resident of Siuri, Ekma, Rashulpur, Siuri, Police Station Rashulpur, District - Saran at present Resident of Mohalla- Shaktipuram Colony, Ashiana Nagar, Police Station - Rajiv Nagar, District- Patna.
4. Gita Devi, Wife of Bhupendra Pandey, Resident of Mohalla- Rajiv Nagar, Road No. 23, Keshari Nagar Police Station - Rajiv Nagar, District - Patna at present Resident of Mohalla - Netaji Subhash Marg, Uttri Nepali Nagar Digha, Ghurdaur Road, Police Station - Digha, District- Patna.
5. Chandeshwar Prasad, Son of Late Tulshi Mahto, Resident of Village - Nanand, Police Station - Silao, District - Nalanda at present Resident of Mohalla - Nepali Nagar Chandravihar Colony (Magadh Lane-I), P.O. - Ashiana Nagar, Police Station - Rajiv Nagar, District - Patna.
6. Shiv Kumar, Son of Laln Ray @ Lalan Ray, Resident of Mohalla - Link Road, Uttari Jayprakash Nagar, Ashiyana Nagar, Police Station - Digha, District- Patna at present Resident of Mohalla - Madhuvanpuri Phase- 1, Gandhi 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 SBPDCL : Dr. Anand Kumar, Adv.
: Mr. Rajan Prakash, Adv.
For the Respondent/s : Mr. Vinay Kirti Singh

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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