

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.20373 of 2018**

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Ved Prakash Mandal Son of Late Bindeshwari Prasad Sahu, Resident of Gauri Shankar Colony, Gai Ghat, P.S.-Alamganj, Patna City, District-Patna

... .. Petitioner/s

Versus

1. South Bihar Electric Power Distribution Corporation Through Its Chairman
2. The Chairman, South Bihar Electric Power Distribution Corporation, Patna.
3. The Assistant Engineer, South Bihar Electric Power Distribution Corporation, Gulzarbagh Sub-Division, Mina Bazar, Gulzarbagh Path, Patna-800007

... .. Respondent/s

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**Appearance :**

|                      |   |                                     |
|----------------------|---|-------------------------------------|
| For the Petitioner/s | : | Mr.Abinash Kumar, Advocate          |
| For the Respondent/s | : | Mrs.Nivedita Nirvikar, Sr. Advocate |
|                      | : | Mr. Amarsakti, Advocate             |
|                      | : | Mrs. Asmita Bharti, Advocate        |

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**CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY**  
**ORAL JUDGMENT**

**Date : 01-08-2025**

**1.** The writ petition is filed to direct the respondent authorities to provide new connection to Shop (Katra) No. 8, situated at Gauri Shankar Temple allotted in favour of Om Prakash Mandal, the elder brother of the petitioner, for which petitioner has deposited requisite fee as demanded by the respondents.

**2.** The brief facts culled out of the writ petition are that the shop was allotted in the name of elder brother of the petitioner, since long time. No



lease agreement was ever executed with respect to the tenancy of the shop by the Committee of Gauri Shankar Temple in favour of the elder brother of the petitioner. It is the specific contention that the elder brother of the petitioner joined Central Government Service and he was unable to run the business. As the petitioner was unemployed and he took possession of the shop with the oral permission of the Secretary/President of Gauri Shankar Temple and was continuing his business in the aforesaid shop, though it is in the name of the elder brother of the petitioner. Further the petitioner was duly paying a monthly rent of Rs. 900/-.

**3.** Further contentions in the Writ petition are that initially the electric connection of the aforesaid shop was in the name of the petitioner and the petitioner paid regular electric bills to the Bihar State Electricity Board (for brevity, "Board"). The petitioner is a patient of diabetes and is also suffering with various ailments and as he was not regular to his business for which he applied before the Board for disconnection of electric line and the



said line was disconnected on 10.06.2012. The petitioner has applied for a fresh electric connection before the respondent authorities by depositing Rs.2,875/- (Rupees Two Thousand Eight Hundred and Seventy-Five Only) on temporary basis for which a temporary registration no. was allotted, i.e., 1705284030.

**4.** It is also the specific contention of the petitioner that one Vishwanath Choudhary and Pankaj Kumar, who are the Secretary and Cashier respectively of Gauri Shankar Temple, acted against the interest of the petitioner and other tenants and addressed a letter to the respondent no. 3, for not providing new electric connection in favour of the petitioner. Further, the respondents have directed the petitioner to file "No Objection" issued by the President of Gauri Shankar Temple which is arbitrary and illegal in nature. The petitioner also sent a legal notice dated 30.07.2018 to the respondent authorities, but the petitioner's grievance was not redressed. Therefore, the petitioner approached this Court for redressal of his grievances.



**5.** A detailed counter affidavit was filed by respondent nos. 1 to 3. The contents of the counter-affidavit clearly disclose that the Gauri Shankar Temple Religious Trust has addressed a letter dated 15.05.2017 to the respondent Department, that electricity cannot be provided without a valid rental agreement. The Junior Electrical Engineer, Electric Supply Section to Meena Bazar, Gulzarbagh has addressed letter nos. 124 dated 30.05.2017 and letter no. 158 dated 12.07.2018 to the petitioner to file "No Objection Certificate" issued by the Chairman of the Gauri Shankar Religious Trust Temple. In spite of it, there was no response from the petitioner. On site inspection dated 12.02.2025, it was found that the shop no. 8 in the complex of Gauri Shankar Temple is being run in the name of Om Prakash Mandal, s/o Late Bindeshwari Prasad Sahu.

**6.** Heard the Learned counsel for the petitioner as well as the Learned counsel for the Respondents.



**7.** On perusal of record it is evident that the shop is not in the name of the petitioner, rather it is in the name of one Om Prakash Mandal. However, it is the contention of the Learned counsel for the petitioner that Om Prakash Mandal is the elder brother of the petitioner. No documentary proof is filed before this Court, to show the relationship between Om Prakash Mandal and the petitioner. Further, the contents of the Writ petition clearly disclose that initially an electric connection was on the name of the petitioner, which was disconnected at his instance. The contents of the Writ petition is very much silent as to why the petitioner has not asked for reconnection and why he sought for a fresh connection. Furthermore, the shop of Om Prakash Mandal was not transferred on the name of the petitioner and there is no proof before this Court to show that permission was granted by Gauri Shankar Temple Authorities to run the shop by the petitioner. In the absence of a lease agreement or ownership certificate, the petitioner cannot ask for new connection of electric meter on his name. Moreover,



Annexure- R/5 clearly discloses that the electric connection is still in the name of Om Prakash Mandal for the same shop, i.e., Katra No. 8. If at all, one electric connection is already allotted to the shop, what is the necessity for having second electricity connection is not explained by the petitioner.

**8.** Therefore, this Court is of the considered view that there are no merits in the Writ petition and the Writ petition is liable to be dismissed as neither the fundamental rights of the petitioner are violated nor there is any violation of principle of natural justice.

**9.** Accordingly, the Writ petition is dismissed as devoid of merits.

**(G. Anupama Chakravarthy, J)**

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