

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.810 of 2024

In
Civil Writ Jurisdiction Case No.15765 of 2022

=====

Nag Narayan Singh, son of Late Mahatam Singh, Resident of New Basti,
Mahadeva, P.S. Siwan Muffasil, District- Siwan.

... .. Appellant/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Energy,
Government of Bihar, Patna.
2. The Chairman, Electricity Board, Bihar, Patna.
3. The Managing Director, North Bihar Power Distribution Company Limited,
Bihar, Patna.
4. The District Magistrate, Siwan.
5. The Executive Electric Engineer, Electric Supply, Power Division, Siwan.
6. The Assistant Electric Engineer, Electric Supply, Power Division, Siwan.
7. The Junior Electrical Engineer, Electric Supply Division- 2, Siwan.
8. The Additional Collector Cum Public Grievance Redressal Officer, Siwan.
9. The SHO, Siwan Mufasil Police Station, District- Siwan.
10. The SHO, Siwan Town Police Station, District- Siwan.
11. Praveen Kumar Sinha, Son of Lakshmeshwar Prasad Sinha, resident of
Village- Nai Basti Mahadeva Siwan, P.S.- Siwan Mufassil, District- Siwan.

... .. Respondent/s

=====

Appearance :

For the Appellant/s	:	Mr.Shubh Narain Singh, Advocate
For the Respondent/s	:	Mr. Ranjeet Kumar, Advocate
		Mr. Rajnish Prakash, Advocate
		Ms. Lakshmi Kumari, Advocate
		Mr. Ankesh Kumar Sinha, Advocate

=====

CORAM: HONOURABLE THE ACTING CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL JUDGMENT

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

Date : 20-02-2025

Re: I.A. No. 01 of 2024

I.A. No. 01 of 2024 has been filed for condoning



the delay of 5 days in preferring this appeal.

2. For the reasons stated in the I.A. No. 01 of 2024, the delay of 5 days in preferring this appeal is condoned.

3. I.A. No. 01 of 2024 stands allowed.

Re: L.P.A. No. 810 of 2024

4. Heard Mr. Shubh Narain Singh, learned Advocate for the appellant, who is the landlord and is aggrieved by the judgment dated 04.07.2024 passed in CWJC No. 15765 of 2022, whereby the learned Single Judge has directed the North Bihar Power Distribution Company Limited to immediately restore the electric connection/resume the electric supply to Respondent No. 11.

5. Respondent No. 11 is the tenant of the appellant, who after obtaining permission from him, got an electric meter installed.

6. He had been defaulting in making payments over rent, forcing the landlord/appellant to approach the



Electricity Department for disconnection of line. That was not found to be in consonance with law as electricity is one of the basic amenities to which a person cannot be deprived without the due process of law.

7. There is no dispute about the fact that the Respondent No. 11 had been paying the electricity charges. In fact, there was no complaint on that score. It is only the apprehension of the appellant that taking advantage of a separate meter in the name of Respondent No. 11, he might stake his claim over the property.

8. Such apprehension is absolutely unfounded. The learned Single Judge was absolutely justified in holding that if the landlord was not getting the monthly rental in time, he has the option of either getting the tenant/Respondent No. 11 evicted from his shop or approach the appropriate forum for recovery of rent.

9. Without notice to Respondent No. 11, Mr. Ranjeet Kumar, learned Advocate has submitted that he



shall make payments of the monthly rental of the shop in question to the landlord without fail.

10. We do not find any fallacy in the order passed by the learned Single Judge.

11. The appeal stands dismissed.

(Ashutosh Kumar, ACJ)

(Partha Sarthy, J)

P.K.P./-

AFR/NAFR	
CAV DATE	
Uploading Date	21.02.2025
Transmission Date	

