

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20160 of 2018

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1. Ravi Kumar and Anr Son of Indradeo Ram alias Indradeo Rai, resident of Hemra Tola, Khatopur, Raja Dumri, P.S.- Mufassil, Begusarai- 851129.
 2. Sanjeet Kumar, Son of Indradeo Ram alias Indradeo Rai, Resident of Hemra Tola, Khatopur, Raja Dumri, P.S.- Mufassil, Begusarai- 851129.

... .. Petitioner/s

Versus

1. The North Bihar Power Distribution Company Limited through its Managing Director, Vidyut Bhawan, Bailey Road, Patna
2. The Managing Director, North Bihar Power Distribution Company Limited, Vidyut Bhawan, Bailey Road, Patna
3. The Chief Engineer Commercial, North Bihar Power Distribution Company Limited, Vidyut Bhawan, Bailey Road, Patna
4. The Electrical Executive Engineer, North Bihar Power Distribution Company Limited, Electric Supply Division, Begusarai
5. The Assistant Electrical Engineer, North Bihar Power Distribution Company Limited, Electric Supply Division, Begusarai.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	M/s Gautam Kumar Kejriwal Alok Kumar Jha Mukund Kumar Preety Choudhary, Advocates
For the Respondent/s	:	Mr.Vinay Kirti Singh, Sr. Advocate

CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY

ORAL JUDGMENT

Date : 29-08-2025

1. The petitioners have filed the instant application for the following relief:

“1. For issuance of a direction upon the respondent North Bihar Power Distribution Company Ltd. (Hereinafter



referred to as the Company for short) and its authorities to supply electricity connection to the petitioner's premises for which the petitioner has already applied and has already deposited the application fee on 26.06.2018;

II. For holding and a declaration that the petitioner cannot be denied the electrical connection for reasons of pendency of outstanding dues of the tenant who had availed a new electricity supply connection from the respondent company after making an application without any signature or consent or in any manner any approval of the petitioner and in whose name a new meter was installed by the respondent company on payment of the requisite security amount and other charges;

III. For grant of any other relief or reliefs to which the petitioner is found entitled in the facts and circumstances of the case;"

2. The brief facts culled out of the writ petition is that the petitioner owns a premises of approximately 31,920 sq. ft., situated at Lakho



Manjhlapur Baliya, Begusarai district, which was leased to Hindustan Spirits Ltd., Jaipur, under a rental agreement dated 21.08.2014. It is contended that the tenant independently applied for a high-tension electricity connection and the same was sanctioned by the respondent company in the year 2015, without the petitioners' knowledge or consent. It is further contended that following the State Government's prohibition on liquor manufacturing and sales, the tenant vacated the premises in the month of September 2017, and the respondent company removed the electricity meter in the month of November 2017, informing the petitioner of outstanding dues amounting to Rs. 17,41,960/-, which were solely payable by the tenant of the petitioners.

3. The Learned counsel for the petitioner submitted that the petitioners had no knowledge about the liability of his tenant's dues, and that the petitioner applied for a afresh electricity connection on 26.06.2018. However, despite of repeated reminders, the respondent



company neither responded nor granted the connection.

4. It is further contended that the denial of fresh electricity connection, on account of the tenant's outstanding dues is illegal and unjustified, infringing the petitioner's fundamental rights under Articles 14, 19(1)(g), 21, and Article 300A of the Constitution of India.

5. A detailed counter affidavit was filed by respondents stating therein that the allegation that electricity connection was denied solely on the basis of the tenant's arrears. It is, however, admitted that the petitioner had applied for a new connection on 26.06.2018 and deposited the application fee.

6. The Learned counsel for the respondents submitted that the premises were leased to Hindustan Spirits Ltd. until 21.04.2020, during which the tenant incurred arrears of Rs. 17,41,960/-. On receipt of the petitioner's application for a fresh connection an enquiry was conducted confirming that the premises were



vacant, and thereafter steps for the process of a new electricity connection was initiated.

7. It is further submitted that an estimate was prepared and communicated to the petitioners, pursuant to which the petitioners deposited Rs. 29,543/- on 11.10.2018. A work order was issued on 24.10.2018, requiring compliance before connection could be provided.

8. It is submitted that the delay in providing connection is attributable to the petitioner's failure to comply with the work order requirements, deposit the requisite security, and complete other formalities. It is further submitted that the connection to the tenant was granted on the basis of the lease agreement and the tenant's application, and that the petitioner's consent was not a prerequisite. It is also stated that proceedings for recovery of outstanding dues against the tenant under the Bihar Public Demand Recovery Act are pending.

9. Heard learned counsel for the petitioner as well as learned counsel for the



respondents.

10. On consideration of the rival submissions and material on record, this Court finds that the petitioner's application for fresh electricity connection is pending, due to non-compliance with procedural formalities, including payment of security and completion of the work order conditions. Further, the arrears of electricity bills, pertain solely to the tenant, who had entered into a lease agreement and independently obtained electricity connection. The respondent company initiated necessary action for recovery of arrears from the tenant and has commenced the process for providing fresh connection to the petitioner upon fulfillment of required formalities.

11. In aforesaid circumstances, this Court finds that there is no material to hold that the petitioner is arbitrarily or unlawfully denied electricity connection by the respondent company.

12. Accordingly, the writ petition is dismissed as devoid of merits.

13. Interlocutory Application, if any,



shall stands disposed of.

(G. Anupama Chakravarthy, J)

Spd/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	09.09.2025
Transmission Date	

