

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19375 of 2024

1. Ashok Mistri Son of Ramashish Mistri, Resident of Mohalla- Nepali Nagar, Shaktipuram Colony, Ashiana Nagar, Police Station- Rajiv Nagar, District- Patna, at present Resident of Mohalla- Madhubanpuri, Phase-1, Ashiyana Digha, Police Station -Rajiv Nagar, District- Patna.
2. Anil Kumar Rai, Son of Saravanand Rai, Resident of Village- Awathahi, Police Station- Bhoarkol, District- Ghazipur (Uttar Pradesh) at present Resident of Mohalla Shaktipuram Colony, Ashiana Nagar, Police Station- Rajiv Nagar, District- Patna.
3. Suchita Devi, Wife of Ajay Kumar Thakur, Resident of Mohalla- Nepali Nagar, Digha Road Post office- Keshari Nagar, Police Station- Rajiv Nagar, District- Patna at present Resident of Mohalla- Jagat Vihar Colony, Near Badhai Marriage Hall, A k Marbal Gali Mahaveer Colony, Police Station -Rajiv Nagar, District- Patna.
4. Prabha Rani Verma, Wife of Ramesh Kumar, Resident of Mohalla- Behind Rajgandha Apartment, Near H.P. Petrol Pump, Post office -Sadaquat Ashram, Police Station- Patliputra, District- Patna at present Resident of Mohalla- Shaktipuram Colony, Ashiana Nagar, Police Station- Rajiv Nagar, District- Patna.
5. Pushpa Kumari, Wife of Manjit Kumar Sinha C/o- Raj Rup Sinha, Resident of Mohalla- CDA Colony, North Shastrinagar, Police Station- Shastrinagar, District- Patna at present Resident of Mohalla Shaktipuram Colony, Ashiana Nagar, Police Station- Rajiv Nagar, District- Patna.

... .. Petitioner/s

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, Baily 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 the Respondent/s : Mr.V.K.Singh, Adv.



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

2 17-01-2025 Learned counsel for the respondents has filed the hard copy of the counter affidavit before the Bench and the same is taken on record.

2. Heard the parties.

3. 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 a 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.”

4. 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 Nos. 6 and 7 to accept the application made by the petitioner along with the requisite amounts and consider the same in accordance with law.

5. Having regard to the above made submission, the present writ petition is disposed off with a direction to the Respondent Nos. 6 and 7 to accept the application of the petitioner for an electrical connection along with the requisite amount and consider the same strictly in accordance with law. The Respondent Nos. 6 and 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.

6. With the above directions, the present writ petition stands disposed of to the extent indicated above.

(A. Abhishek Reddy , J)

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