IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15822 of 2026

CNR No. BRHC011071312026

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Rakesh Kumar Jaiswal, son of Dharmachand Prasad Jaiswal, Resident of village Jhakhari Mahadev, Gola Road, P.S. - Danapur, District Patna.

... ... Petitioner/s

Versus

1. The State of Bihar through the Secretary, Energy Department, Government of Bihar, Patna.
2. The South Bihar Power Distribution Company Limited through its Managing Director, Vidyut Bhawan, Bailey Road, Patna.
3. The Executive Electrical Engineer, Electric Supply Division, Danapur, Patna.
4. The Assistant Electrical Engineer, Electric Supply Sub Division, Digha, Patna.
5. The Junior Electrical Engineer, Electric Supply Section, Digha, Patna.

... ... Respondent/s

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Appearance :
For the Petitioner/s : Mr.Akshansh Ankt, Adv.
For the Company : Mr. Shashank Chandra, Adv.
For the state : Mr. Jogendra Kumar, GP 32

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT
Date : 23-11-2026

Heard Mr. Akshansh Ankit, learned advocate for the petitioner and Mr. Shashank Chandra, learned advocate for the South Bihar Power Distribution Company Limited, whereas the State is represented through Mr. Jogendra Kumar, learned advocate.

2. The petitioner, a Government Teacher, has let out the front portion of the premises to a tenant for running a video and photography studio. The tenant had undertaken to

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obtain a separate electricity connection in his own name and to remain solely responsible for any unlawful act committed in the tenanted portion. The petitioner is aggrieved by the inspection conducted by the Junior Electrical Engineer, Electric Supply Section, Digha, the report submitted by him, as well as the action of the concerned respondent in disconnecting the electricity supply to the premises.

3. In the aforesaid premise, the petitioner approached this Court by filing the present writ petition seeking a direction upon the respondents to forthwith restore the supply of electricity to the residential premises of the petitioner, bearing Consumer No. 102339858, which was disconnected on 04.02.2026.

4. Besides various submissions, inter alia, it is submitted that the Junior Electrical Engineer was not the authorized authority to disconnect the electric supply, and thus his action is in the teeth of the mandate of Section 135(1A) of the Electricity Act, 2003. It is further submitted that the application of the petitioner dated 09.02.2026 for re-assessment by a reasoned and speaking order after affording an opportunity of hearing to the petitioner has also not been disposed of till date.

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5. Mr. Chandra, learned advocate for the SBPDCL, at the outset, submits that the submission of the petitioner to the authorization of the Junior Electrical Engineer is concerned, in exercise of the power conferred by sub-section (1A) of Section 135 of the Electricity Act, 2003, the Bihar Electricity Regulatory Commission had authorized the Junior Electrical Engineer posted in the Electricity Supply Section for the purpose of disconnecting the supply line of electricity within their respective jurisdiction where theft of electricity is detected in the premises of low tension consumers for maximum connected load up to 7KW. To support the aforesaid contention, a notification dated 31.05.2013 has been placed on record. It is further contended that so far as the second grievance of the petitioner is concerned, if any final assessment order has not been passed, the concerned authority shall ensure passing of the final order, preferably within a period of two weeks.

6. Considering the nature of the dispute, without delving into its merit, this Court deems it fit and proper to direct the respondent nos. 4 and 5 to pass the final assessment order over the representation of the petitioner, preferably within a period of two weeks from today, if the same has not

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been done, and communicate the order to the petitioner so that the petitioner may avail the remedy of challenging the same in terms of Section 127 of the Electricity Act, 2003.

7. The grounds taken in the writ petition shall always be available to the petitioner before the appropriate forum.

8. With the aforesaid direction, the present writ petition stands disposed.

(Harish Kumar, J)

Anjani/-

AFR/NAFR	
CAV DATE	
Date of Pronouncement	23.11.2026
Uploading Date	23.11.2026
Transmission Date	

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