

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 4935 of 2015

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Mamta Kumari Wife of Sri Arbind Kumar , Resident of Village- Hajampur,
P.S.- Sakurabad, District- Jehanabad.

.... Petitioner

Versus

1. The State of Bihar
2. The Principal Secretary, Social Welfare, New Secretariat, Government of Bihar, Patna.
3. The Director Social Welfare, New Secretariat, Government of Bihar, Patna.
4. Assistant Director, District Social Secretary Cell cum-District Child Protection Unit, Bhagalpur, District- Bhagalpur.
5. Superintendent of Remand Home, Bhagalpur, District- Bhagalpur.
6. House Contractor cum Sub-Divisional Magistrate, Bhagalpur Sadar, District- Bhagalpur.

.... Respondents

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Appearance :

For the Petitioner : Mr. Pratap Sharma
For the Respondents : AC to GP - 18

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

4. 08-09-2015 Heard Sri Pratap Sharma, learned counsel for the petitioner and learned A.C. to Govt. Pleader – 18 on interlocutory application i.e. I.A. No. 7204 of 2015, which has been filed for amendment of prayer portion in the writ petition. Now, a prayer has been made for directing the respondent no. 6 i.e. House Contractor cum Sub-Divisional Magistrate, Bhagalpur Sadar, Bhagalpur for fixing fair rent.

The main writ petition was filed with a prayer to direct the respondent(s) to pay arrear rent i.e. from the month of February, 2006 to August, 2014.

Learned counsel for the petitioner accepts that during the pendency of the writ petition, arrear rent has already been paid, but he raises an objection that arrear rent has been paid on the old rate, which is too meagre. He further submits that despite the fact that the appellate court i.e. Collector, Bhagalpur in House Control Appeal No. 36 of 2013-14 has remanded back the matter to the House Controller for fixing fair rent, no decision has been taken by the House Controller.

With the consent of the parties, the writ petition is being disposed of granting liberty to the petitioner to approach the House Controller and file appropriate petition for disposal of the case, which has been remanded back by the appellate authority. If such petition is filed, the Court expects that House Controller will take immediate step on the petition and decide the case expeditiously.

The writ petition stands disposed of.

(Rakesh Kumar, J.)

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