

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10704 of 2012

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1. **Vinod Kumar Khemani**, son of Motilal Khemani Resident of Bandhan Tola, Ara, P.S.- Ara-Nawada, P.O.- Ara, District- Bhojpur

.... Petitioner/s

Versus

1. **Atma Lal Jalan**, son of Late Basant Lal Jalan Resident of Mohalla-Station Road, Ara, P.S.- Ara Nawada, P.O.- Ara, District- Bhojpur

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Anish Chandra Sinha-Advocate

For the Respondent/s : Mr. Binod Kumar Singh-Advocate

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

11 26-11-2015

Heard learned counsel for the petitioner as well as

learned counsel for the respondent.

Gone through the order impugned. Instead of providing permission in terms of Sub-section-4 of Section 14 of the Bihar Building (Lease Rent and Eviction) Control Act, the learned lower court rejected the same by the order impugned. Although since before the same, written statement on behalf of petitioner/ defendant was already there and on account thereof, made the matter more complicated.

Accordingly, order impugned is set aside directing the learned lower court to allow the petitioner/ defendant to contest in terms of Section 14(4) of the Bihar Building (Lease Rent & Eviction) Control Act.

Petition is allowed. Because of the fact that it happens to be an eviction suit on account of personal necessity, therefore, the learned lower court is directed to proceed with the trial expeditiously without granting undue adjournment to either of the party.

(Aditya Kumar Trivedi, J)

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