

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20507 of 2010

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Govind Jalan, son of Prahlad Prasad Jalan , of vill-Pupri, P.S. Pupri,
District- Sitamarhi

.... Petitioner

Versus

1. The State of Bihar
2. The Law Secretary, Govt. of Bihar, Patna
3. The Registrar, Civil Court, Sitamarhi, District- Sitamarhi
4. Madan Lal Mishra, son of Jairam Mishra, of resident of Pupri Bazar,
P.S. Pupri, District- Sitamarhi

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Sangeet Deokuliar
For the Respondent/s : Mr. AC to AC-4
Mr. Pyush Lall, Adv

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

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5 22-06-2015 Heard learned counsel for the petitioner, Sri

Pyush Lall, learned counsel for the Respondent no.3 and

learned AC to SC-4.

The present writ petition has been filed against
the order dated 24.02.2010 passed by the learned Sub
Judge-1, Sitamarhi in Eviction Suit No.1 of 2010.

Learned counsel for the petitioner submits that
the suit was filed primarily for fixation of rent, which has
been dismissed only on the ground of non-compliance of
the provisions under Section 106 of the Bihar Tenancy
Act.

On perusal of the impugned order, it is evident that the petitioner was asked to remove the defect and then file a fresh case. The Court is of the opinion that instead of interfering with the impugned order, the writ petition can be disposed of, so that the petitioner may file afresh petition after removing the defect as was pointed out by the learned court below.

The writ petition stands dismissed.

(Rakesh Kumar, J)

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