

IN THE HIGH COURT OF JUDICATURE AT PATNA

Second Appeal No.610 of 2010

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Balmiki Chauhan, son of Jagmohan Chauhan, resident of Village Mahmada, PS
Barbigaha, District Sheikhpura

..... Plaintiff Appellant

.... Appellant

Versus

Krishna Chauhan, son of Late Parmeshwar Chauhan, resident of Village Mahmada,
PS Barbigaha, District Sheikhpura

,..... Defendant Respondent

.... Respondent

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Appearance :

For the Appellant/s : Mr. DR. ANJANI PD. SINGH

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE V. NATH

ORAL JUDGMENT

Date: 27-07-2015

Heard Mr. Dronacharya, learned Counsel appearing for the
appellant.

2. The plaintiff is the appellant in this appeal against the
judgment and decree of affirmance dismissing the suit filed by the plaintiff
for eviction.

3. Both the courts below have come to the concurrent finding
that the plaintiff has failed to establish his relationship of landlord and
tenant with the defendant. It also transpires, after consideration of the
submission on behalf of the appellant, that the plaintiff has not led any
documentary evidence to establish the fact that the defendant was
inducted as a tenant in the suit premises. There is only oral evidence in
this regard by the plaintiff himself and another by PW 2 Bishundeo
Chauhan. Both the courts below have scrutinized the deposition of P.W.
1 and 2 and have declined to rely on them.

4. After considering the submissions and perusal of the

impugned judgments of both the courts below this Court does not find any substantial question of law arising for consideration in this Second Appeal, which is accordingly dismissed.

(V. Nath, J.)

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