

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9195 of 2015

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Om Prakash Kejriwal Son of Late Fulchand Kejriwal Resident of
Mohalla- Mandroja (Behind: Prem Chandra Chhatrabas), P.S.- Kotwali,
Distt. Bhagalpur.

.... Petitioner

Versus

1. Manoj Kumar Shah
2. Sanjay Kumar Shah Both Sons of Late Lakhan Lal Shah, resident of
Mohalla- Mundichak , Radha Devi Lane , P.S.- Tilkamanjhi, Distt. -
Bhagalpur.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO

ORAL ORDER

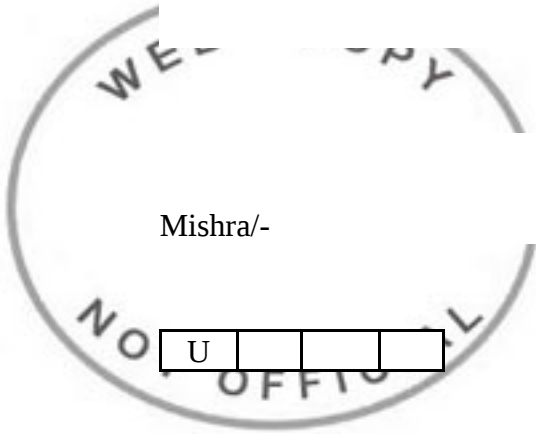
2 22-04-2016 Heard learned counsel, Mr. Ajay Kumar Singh, for
the petitioner.

In Eviction Suit filed by the plaintiffs-respondents
under the B.B.C. Act, the Court has rejected the application filed
by the defendant-tenant-petitioner under Order 26 Rule 9 of the
Code of Civil Procedure for appointment of Pleader
Commissioner.

In a Suit for eviction, the first question to be
decided is whether there is a relationship of landlord and tenant
between the parties with respect to the Suit property, secondly
whether any ground mentioned in Section 11 is available or not.

Therefore, there is no question of appointment of

Pleader Commissioner in Eviction Suit. Thus this writ application is devoid of merit and accordingly dismissed.



(Mungeshwar Sahoo, J)