

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.1443 of 2016**

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Budhadeo Singh

.... Appellant/s

Versus

Bhubneshwar Prasad Sah @ Bhubneshwar Prasad

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Sandeep Patil

For the Respondent/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO**

ORAL ORDER

2 21-12-2016 Heard the learned counsel for the petitioner.

Perused the impugned order dated 6.8.2016 passed by learned Sub Judge XIII, Bhagalpur in Title Eviction Suit No.3 of 2003 whereby the learned Court below refused to recall the order dated 25.05.2012 by which the tenant was directed to deposit the rent under Section 15 of the Bihar Building (Lease, Rent & Eviction) Control Act.

From perusal of the order, it appears that instead of complying the order by depositing the rent, the petitioner filed review application on the ground that the defendant has no knowledge about the said order. The Court below after perusal of the record found that the plea of the defendant is not tenable as the cause list of the Court always shows the passing of substantive order in the record. It further appears that the said order was passed after hearing both the parties.



In such view of the mater, I do not find any reason to interfere with the impugned order in exercise of supervisory jurisdiction. The Court below is directed to proceed expeditiously sticking to the provision of the Act.

Thus this Civil Misc. application is dismissed.

(Mungeshwar Sahoo, J)

Sanjeev/-

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