

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6386 of 2014

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1. M/S Hotel Mayur Pvt. Ltd., A Company Incorporated Under The Indian Companies Act Represented Through Its Chairman Cum Director Smt. Chinta Devi Wife Of Sri Baleswar Ram Having Its Registered Office At Hotel Mayus Building, Frazer Road, P.S- Kotwali, Town And District- Patna

.... Petitioner/s

Versus

1. Smt. Uma Jayaswal Widow Of Late Dr. Pradyumna Narayan Jayaswal
2. Subhash Jayaswal
3. Lt. Co. Rajiv Jayaswal
4. Dr. Gautam Jayaswal All Sons Of Late Dr. Pradyumna Narayan Jayaswal All Permanent Residents Of Jayaswal Kothi, Frazer Road, P.S- Kotwali, Town And District- Patna.
5. Romi Kumar
6. Pomi Kumar
7. Banni Kumar
8. Somi Kumar All Sons Of Late Prem Chand Permanet Resident Of Village Kalyanpur, P.S- Bibhutipur, District Darbhanga At Present Residetnt Of C/O M/S Hotel Mayur Pvt. Ltd., Frazer Road, P .S- Kotwali, Town And District- Patna.
9. Mrinaj Shankar Mukherjee Son Of Mriganka Shekhar Mukherjee Resident Of Flat No. 63, Vaibhav Apartment, Patna Gaya Road, P.S- Kotwali, Town And District- Patna.
10. Sri Mahabir Prasad Agarwal Son Of Late Sohan Lal Choudhary C/O M/S Cheta, Hotel Mayur Building, Frazer Road, P.S- Kotwali, Town And District Patna.
11. M/S Shahnaz Herbal Beauty Clonic, Hotel Mayur Building, Frazer Road, P.S. Kotwali, Town And Distric- Patna Through Its Prop Sanika Manoj.
12. Anil Jayaswal Son Of Late Chaturbhuj Singh Jayaswal
13. Smt. Putul Devi Jayaswal Widow Of Late Dip Singh Jayaswal
14. Alok Jayaswal Son Of Late Dip Singh Jayaswal All Residnts Of Frazer Road, Ps- Kotwali, Town And District- Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Maijorwar
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR SAHOO
ORAL ORDER

for the petitioner and Mr. Pranav Kumar, learned counsel for the plaintiffs-respondents.

Perused the writ application as well as counter affidavit filed by the plaintiffs-respondents. Perused the order dated 01.10.2013 passed by the Sub-Judge-XII, Patna, in T.S. No. 91 of 1998.

From perusal of the order as well as counter affidavit, it appears that the defendant-tenant, who is petitioner, herein, has been able to protract the suit filed for eviction of the defendant on one ground or the other in spite of repeated direction passed by the High Court in various writ applications annexed with the counter affidavit. This is the glaring instance which shows the conduct of the tenant how a tenant adopt tactic to delay the disposal of suit. The learned court below has assigned reasons as to why the application of the petitioner was not allowed. It cannot be said that the order passed by the court below is either illegal or rational or that the court below passed the order in the manner not permitted in law, therefore, I find no reason to interfere with the impugned order. Thus, this writ application is dismissed.

(Mungeshwar Sahoo, J)

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