

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3193 of 2015

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1. Raj Kumar @ Raju son of Late Shibani Tanti Resident of village Haidar Chak, P.S. - Islampur, District - Nalanda at present residents at Mohalla - Shanti Puri Nalband Ki Garhi, Mogalpur, P.S. - Khajekalan District - Patna.

.... Petitioner/s

Versus

1. Ramesh Prasad Gupta son of Late Shyam Sundar Prasad Gupta resident of Shantipur Mohalla - Nalband Ki Garhi, P.S. - Khajekalan, District - Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR SAHOO

ORAL ORDER

2 11-03-2016 Heard Mr. Naresh Kumar Sinha, appearing for the petitioner.

2. From perusal of the impugned order dated 19.12.2014 passed by the Munsif, Patna City in Title Eviction Suit No. 23 of 2013, it appears that the court below has allowed the application filed by the land-lord under Section 15 of the B.B.C. Act. The rate of rent is admitted and the only dispute is as to whether the defendant-petitioner has paid rent regularly or has not paid rent from June, 2014 as claimed by the plaintiff. The court below considering this aspect of the matter directed the petitioner to deposit the rent and also said that the withdrawal of the amount shall be subject to result of the suit.

3. In such view of the matter, I do not find any illegality in the impugned order nor it can be said that it has occasioned failure of justice. Therefore, this writ application is dismissed.

(Mungeshwar Sahoo, J)

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