

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Revision No.51 of 2014

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1. Md. Neyaz Akhtar S/O Late Fahimuddin
2. Md. Reyaz S/O Late Fahimuddin
3. Md. Sarfraj S/O Late Fahimuddin All Residents Of Mohalla Kora Maidan,
Sandalpur, P.S. Kasim Bazar, P.O. And District Munger.

.... Petitioners

Versus

1. Bibi Rahat Parbeen W/O Md. Nasimuddin Resident Of Kora Maidan, Sadipur,
P.S. Kasim Bazar, P.O. And District Munger.
2. Md. Shamim Akhtar S/O Late Fahimuddin Resident Of Mohalla Mogal Kuan,
Post Office And P.S. Bihar Sharif, District Nalanda.
3. Bibi Aisa Khatoon W/O Late Md. Nehal And D/O Late Fahimuddin Resident Of
Mohalla Sati Chaurah, P.O. And P.S. Lakhminia, District Begusarai.
4. Bibi Asmat Khatoon @ Gudia W/O Md. Feku And D/O Late Fahimuddin
Resident Of Mohalla Baghi, Ganga Gali Ayub Girls School, Patna.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Pravin Chandra Prasad, Adv.

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE V. NATH

ORAL JUDGMENT

Date: 15-11-2016

Heard Mr. Pravin Chandra Prasad, learned
counsel appearing for the petitioners and learned counsel appearing
for the plaintiff-respondent no.1.

This revision application has been filed under
Section 14(8) of the Bihar Building(Lease, Rent & Eviction) Control
Act (hereinafter referred to as B.B.C.Act) against the judgment and
order for eviction dated 30.04.2013 by which the learned court below
has granted the decree for eviction to the plaintiff and directed the
defendant to vacate the suit premises.



The plaintiff's case was that the tenant-defendants were inducted as tenants in the suit premises on the basis of a registered lease deed on 01.09.1980 for a fixed term tenancy expiring on 31.12.1983. However, as the tenant-defendants did not vacate the suit premises after the expiry of the period of lease, the suit was filed praying for eviction. It would be relevant to mention here that the plaintiff also claimed arrears of rent against the defendants and another Eviction Suit No. 1(A)/1984 has been filed by the plaintiff. The learned counsel for both the parties have jointly submitted that the proceeding of the said suit has got no relevancy in the present revision application.

It transpires from the perusal of the impugned judgment and order that after considering the pleading and evidence as adduced by the parties, the learned court below has come to a finding that the plaintiff is entitled to a decree for eviction against the defendant on the ground of expiry of the period of lease. During the course of submission, learned counsel for the petitioners has not been able to show or establish any perversity or unreasonableness in the findings.

The learned counsel for the petitioners has further also accepted that after the expiry of the period of lease, the defendant-tenants were not entitled to remain in occupation of the suit



premises.

After considering the submissions and stand on behalf of the petitioners, this Court comes to the conclusion that the impugned order for eviction against the defendant-petitioners is according to law.

The revision application is, accordingly, dismissed.

(V. Nath, J)

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