

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20084 of 2012

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1. Coir Board, (Government Of India) A Board Constituted Under Section 4 Of Coir Industry Act, 1953, Represented Through Secretary, Coir Board, M.G. Road Kochi Kerala
 2. Suresh Pandit, Manager Coir Board (Government Of India) Show Room And Sales Depot, Patna, Biscomaun Bhawan, West Gandhi Maidan Road, Patna

.... Petitioner/s

Versus

1. Bihar State Co-Operative Marketing Union Limited, Represented Through Its Managing Director, Biscomaun Bhawan, West Gandhi Maidan, Patna
2. Managing Director, Bihar State Co-Operative Marketing Union Limited, Biscomaun Bhawan, West Gandhi Maidan, Patna
3. Senior Incharge, Estate Officer, Bihar State Co-Operative Marketing Union Limited, Biscomaun Bhawan, West Gandhi Maidan, Patna
4. Secretary, Biscomaun, Biscomaun Bhawan, West Gandhi Maidan, Patna
5. State Of Bihar Through Registrar Co-Operative Bihar, Patna
6. Rent Controller-Cum-Sub Divisional Officer, Patna Sadar, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Khalid Ahsan

For the Respondent

BISCOMAUN : Mr. Ishwari Singh, Advocate.

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

4 23-06-2016 Heard Mr. Raghiv Ahsan Sr. Advocate for the petitioners and Mr. Ishwari Singh for the respondent BISCOMAUN.

After having heard both sides, in my view, the writ application has lost its relevance. The communication dated 29.9.2012 asking the petitioners to execute fresh agreement/deed of licence w.e.f. 6.7.2000 with certain conditions have not been given effect to. There is no interim order passed in the present proceeding. In my view, the writ application deserves to be

disposed of permitting the respondent-Biscomaun to take fresh decision in respect of the tenanted premises in question which is in occupation of the writ petitioners. It is further noted that petitioners as well as the respondent -BISCOMAUN are statutory bodies and they are landlord and tenant(s). The matter ought to have been resolved amicably between them.

Pendency of this application may create obstacle in resolving the issue amicably or otherwise. It is, thus, deemed appropriate to dispose of the writ application permitting the parties to resolve the disputes amicably and/or take a fresh decision in this regard by the respondent BISCOMAUN. Incidentally, it may be observed that the case of the respondents- BISCOMAUN is that even if the case of the petitioners is to be accepted then the remedy available to the petitioners is to seek remedy before the Civil Court or the authority under the Bihar Building (Lease, Rent, Eviction) Control Act, 1982.

The writ application is disposed of.

(Kishore Kumar Mandal, J)

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