

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7715 of 2014

In
C.R. 35 of 2014

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Ratan Singh

.... Petitioner/s

Versus

Vishwajit Kumar & Anr

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Mahendra Prasad Bhartee

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO
ORAL ORDER

3 22-02-2016 Heard learned counsel Mr. Mahendra Prasad Bharti
for the petitioner and learned counsel Mr. Dhananjay Kumar
Tiwary, for the respondents.

By the impugned order dated 07.11.2013, the learned
Munsif, Bihar Sharif in Eviction Suit No. 06 of 2013 rejected the
intervention application filed by one Ratan Singh.

It appears that the plaintiff- respondent filed eviction
suit against the defendant-petitioner. The defendant-petitioner
denied relationship of landlord and tenant and pleaded that in fact,
his landlord is Ratan Singh and he is paying rent to Ratan Singh.
Thereafter, the application was filed by Ratan Singh for being
added as party. The Court below by the impugned order rejected
the said application on the ground that the said Ratan Singh is not
a necessary party because said Ratan Singh is claiming title on the

suit property and in eviction, the tile cannot be decided.

It is settled principle of law that in a eviction suit the question of title of the parties cannot be gone into as held by the Supreme Court in the Case of ***Rajendra Tiwary Vs. Basudeo Prasad AIR 2002 SC 136***. In view of the factual as well as the settled principle of law, no case for interference in supervisory jurisdiction is made out.

Thus, this writ application is dismissed.

(Mungeshwar Sahoo, J)

ravi/-

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