

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Revision No.127 of 2015

- =====
1. Bishwanath Chowdhary son of late Gobind Chowdhary.
 2. Rangnath Chowdhary son of late Gobind Chowdhary, both resident of Mohalla-Sultanganj, Dwaja Gali, P.O.+P.S. Sultanganj, District-Bhagalpur.

.... Petitioner/s

Versus

Bishnu Kumar Kesan, son of late Bajrang Lal Kesan resident of mohalla-Dhwaja Gali, Sultanganj, P.O+ P.S. Sultanganj, District-Bhagalpur.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Gupta

For the Respondent/s : Mr.

=====

CORAM: HONOURABLE MR. JUSTICE V. NATH
ORAL ORDER

2 05-01-2016 Heard the learned counsel for the petitioners and perused the office note.

This revision application has been placed today on the point of maintainability in view of the objection raised by the stamp reporter.

The present revision application has been filed against the decree passed in the Title Eviction Suit No. 20 of 2012. The said suit was filed for eviction of the defendant-petitioners on the ground of default in payment of rent alone. The said fact is also apparent from the impugned decree, a copy of which has been annexed with the revision application.

The learned counsel for the petitioners has submitted

that the present revision application is maintainable as provided in the proviso of Section 14 (8) of the Bihar Buildings (Lease, Rent and Eviction) Control Act, 1982 as an order of eviction can be assailed in the revision application before the High Court. The submission on behalf of the petitioners is thoroughly misconceived and has been made ignoring the provision of Section 14 of the B.B.C. Act which is special procedure in cases where the ground of eviction is the personal necessity or expiry of lease.

In view of the aforesaid facts and circumstances, this Court finds that the present revision application is not maintainable and is dismissed, as such.

However, the petitioners, as prayed, shall be at liberty to seek appropriate remedy against the impugned judgment and decree in accordance with law.

(V. Nath, J)

Devendra/-

U			
---	--	--	--