

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2580 of 2015

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1. Bhola Sah Son of Late Harihar Prasad
2. Chandramani Sharma Son of Idrashan Lal Sharma
3. Anil Kumar Barnwal Son of Late Alakh Prasad
4. Satyanarayan Bhagat Son of Late Ramlal Bhagat
5. Nandlal Bhagat Son of Late Ramnath Bhagat
6. Vijay Shankar Thakur Son of Late Rameshwar Prasad
7. Suresh Sharma Son of Late Prahlad Sharma
8. Dhruv Prasad, Son of Late Baijnath Prasad
9. Rameshwar Prasad Son of Late Lakshman Prasad
10. Shanti Devi Wife of Late Chiranjilal Joshi,
11. Shiv Bhagwan Sharma Son of Late Bishnu Dutt Sharma,
12. Brajeshwar Prasad Gupta Son of Late Pyarelal Gupta
13. Munilal Sah Son of Bachulal Sah
14. Ramji Prasad Chaurasia Son of Late Ambika Prasad Chaurasia
15. Rajesh Kumar Son of Late Bishwanath Prasad
16. Geeta Devi Wife of Anand Prasad, All residents of Mohalla- Lal Bazar, P.O. & P.S. - Bettiah, District - West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Commissioner, Tirhut Division, Muzaffarpur.
3. The Collector, West Champaran at Bettiah.
4. The Sub-Divisional officer -cum- Rent Controller, Bettiah, West Champaran.
5. Bettiah Raj under Estate of Wards Act through its Manager, West Champaran, at Bettiah.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate
For the State : Mr. Ashok Kumar Pathak, G.P.-21
For the Bettiah Estate: Mr. Binod Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

ORAL JUDGMENT

Date: 21-10-2016

Heard Mr. Umesh Chandra Verma, counsel for the
petitioner, Mr. Binod Kumar appearing for the Bettiah Raj and Mr.
Ashok Kumar Pathak, G.P.-21 for the State.

The petitioner is aggrieved by the order dated
11.8.2014/29.9.2014 passed by the Commissioner, Tirhut Division,

Muzaffarpur in House Control Revision Case No. 69 of 2009 upholding the order dated 15.12.2008 passed by the appellate authority i.e. the Collector, West Champaran in R.M. Case No. 102 of 1986-97 which in turn confirms the order dated 02.8.1986 of the Rent Controller, Bettiah.

The petitioner has objected to determination of the fair rent by the statutory authorities under the Bihar Building (Lease, Rent & Eviction) Control Act, 1982 (hereinafter referred to as the 'Act').

This is a second round litigation with the first round litigation being remitted for consideration of the objection raised by the petitioner on fair rent determination and which has resulted in the orders impugned.

Having heard learned counsel for the parties and considering that the determination of a fair rent is an issue of fact which stands confirmed up to the revisional authority, I am not persuaded to enter into the finding of fact in the background of surrounding circumstances.

The writ petition is disposed of.

(Jyoti Saran, J)

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