

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5982 of 2016

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Ravi Ranjan Jaiswal @ Ravi Ranjan Kumar Jaiswal

.... Petitioner/s

Versus

Shailendra Chowdhry

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Manish Jha

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO

ORAL ORDER

3 10-08-2016

Heard learned counsel Mr. Abhay Kumar Thakur for the petitioner and learned counsel Mr. R.K. Agrawal for the respondent.

Perused the impugned order dated 25.01.2016 passed by Subordinate Judge-I, Muzaffarpur in Eviction Suit No.28 of 2014.

It appears that this eviction suit was filed only on the ground of personal necessity, therefore, the special procedure provided under Section 14 of the Bihar Building (Lease, Rent & Eviction) Control Act is to be followed. In such circumstances, the Court is required to follow the procedure of Small Causes Court Act. No doubt, there is no bar for framing issue but it is not necessary to frame issue when the Court followed the special procedure under Section 14 of the Bihar Building (Lease, Rent & Eviction) Control Act.

In my opinion, therefore, the learned court below has

rightly rejected the application filed by the petitioner and, therefore, the order needs no interference in exercise of supervisory jurisdiction. Accordingly, this writ application is dismissed.

(Mungeshwar Sahoo, J)

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