

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14848 of 2013

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Chandra Bindu Singh S/O Late Faujdar Singh Resident Of Village And
P.O- Umsanchak, P.S- Masaurhi, District- Patna, At Present Chandra
Medical Halla, Taregana Gola, Station Road, Masaurhi, District- Patna.

.... Petitioner

Versus

1. Surendra Prasad Singh S/O Late Deo Sharan Singh Resident Of
Taregana Gola, Station Road, Masaurhi, P.O- Masaurhi, District- Patna.
2. Ram Kumari Devi W/O Rajendra Prasad Resident Of Village-
Subdullahchak, P.O- Poyawan, P.S- Masaurhi, District- Patna.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Dilip Kumar
Ms. Kiran Kumari

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE V. NATH
ORAL ORDER

3 09-12-2016 Heard learned Counsel for the petitioner.

The tenant-defendant in the suit for eviction is the petitioner in this application questioning the legal sustainability of the impugned order passed under Section 15 of the BBC Act.

The fact has not been disputed that the petitioner's claim for title over the suit land has been negated up to this Court in separately instituted civil suit. The learned Court below has come to the finding that there is no explanation by the petitioner as to in what capacity the petitioner is continuing in occupation of the suit premises. The petitioner's case that the petitioner is in occupation as tenant on monthly rent of RS. 200/- has been accepted by the learned court below and, accordingly, direction under Section 15 of the BBC Act has been passed for payment of arrears of rent and current rent.



During the course of submission, this Court has not been persuaded to hold that the findings recorded by the learned court below and the directions given there under are not in accordance with law.

This Court, therefore, is not inclined to invoke its jurisdiction under Article 227 of the Constitution of India in view of the fact also that the learned Counsel for the petitioner has expressed his inability to inform this Court regarding compliance of the direction as contained in the impugned order for payment of arrears of rent and current rent.

This application is accordingly dismissed.

(V. Nath, J.)

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