

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.271 of 2016**

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Ranjan Kumar @ Painter

.... Appellant/s

Versus

Mostt. Kamla Devi

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Naresh Chandra Verma

For the Respondent/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO
ORAL ORDER**

2 12-08-2016

Heard the learned counsel for the petitioner.

Perused the order dated 27.02.2016 passed by the learned Civil Judge I (Sr. Div.), Vaishali at Hajipur in Eviction Suit No.1 of 2015 whereby the learned Court below has allowed the application filed by the plaintiff-respondent under Section 15 of the Bihar Building(Lease, Rent & Eviction) Control Act, 1982.

The only dispute raised by the petitioner is that the agreement was entered into between the plaintiff and third person and that the last paid rent is Rs.1300/- per month only.

From perusal of the impugned order, it appears that no such case was pleaded before the Court below nor it was argued before the Court below that the agreement was between the third person and the plaintiff and not with the present petitioner.

So far last paid rent is concerned, it is the only statement of the defendant-petitioner. On the contrary, agreement was

produced before the Court below and the Court below relying on the agreement held that the rate of rent is Rs.2500/- per month.

In view of the above facts and circumstances of the case, in my opinion, no case for interference in supervisory jurisdiction is made out.

Accordingly, this civil miscellaneous application is dismissed.

(Mungeshwar Sahoo, J)

Saurabh/-

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