

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23841 of 2013

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Rajesh Pratap Singh son of Late Baidnath Pratap Singh, resident of B-6
Biscoman Colony Patna - 7 District - Patna

.... Petitioner/s

Versus

1. The State Of Bihar through Secretary, Co-operative Marketing Union Ltd, Government of Bihar, Patna
2. The Bihar State Co-operative Marketing Union Ltd. through Administrator, West Gandhi Maidan, Patna
3. The Managing Director Bihar State Co-Operative Marketing Union Ltd. Through Administrator West Gandhi Maidan
4. The Secretary Bihar State Co-Operative Marketing Union Ltd through Administrator West Gandhi Maidan, Patna
5. The Chief State Officer, Bihar State Co-Operative Marketing Union Ltd. through Administrator West Gandhi Maidan, Patna
6. The State Officer, Bihar State Co-operative Marketing Union Ltd. through Administrator West Gandhi Maidan, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rajendra Prasad

For the Respondent/s : Mr. Rakesh Kumar Jha, Adv.

Mr. Vinay Prasad Singh, AC to GA -XII

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 09-10-2017 Heard learned counsel for the petitioner, learned
counsel for the Biscomaun and learned counsel for the State.

It appears that the sole dispute which has arisen in
this case is regarding fixation of enhanced rate of rent by the
Biscomaun for payment to be made by the petitioner, as a tenant
of the Biscomaun.

Learned counsel for the petitioner submits that the
rent fixed by the Biscomaun is wholly illegal and arbitrary and
cannot be sustained.



However, learned counsel for the Biscomaun submits that, if at all, the petitioner has any grievance with regard to the fixation of rent, it is open to him to move before the Rent Controller for appropriate relief under the Bihar Building (Lease, Rent & Eviction) Control Act, 1982.

In view of the fact that the Biscomaun has admitted that it is not presently evicting the petitioner as he is praying the current rates, let the petitioner seek appropriate remedy before the Rent Controller under the relevant provisions of the Act which shall be determined at an early date, preferably within a period of six months, from the date of filing of such application by the appropriate authority.

With the aforementioned direction, the writ application stands disposed of.

It is expected that till the petitioner makes such an application before the appropriate authority, the respondent shall not disturb him.

(Anjana Mishra, J)

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