

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.20868 of 2014

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Asha Gupta Daughter of Late Lakhi Chand Gupta wife of Sri Bhuneshwar Prasad,
resident of village - Lakhi Market, Old G.T. Road, Post Office and Police Station -
Dehri, District – Rohtas.

.... Petitioner/s

Versus

Sita Ram Agrawal Son of Fatechand Agrawal, resident of Neel Kothi, Dehri-On-
Sone, P.O. and P.S. - Dehri, District – Rohtas.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Udit Narayan Singh, Adv.

For the Respondent/s :

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR

ORAL JUDGMENT

Date: 30-08-2018

Petitioner before this Court is plaintiff in Eviction Suit
No.6 of 2000 pending in the court of Munsif, Dehri-On-Sone. She has
filed this application for giving a direction to the court below to
expedite the trial.

2. Heard learned counsel for the petitioner and perused the
record.

3. It appears that the petitioner filed the aforesaid suit on
05.09.2000. After closing the evidence of petitioner, the defendant
was given an opportunity to examine his witnesses and on account of
laches on the part of defendant-tenant, the evidence was closed on
09.05.2013. The defendant filed a miscellaneous appeal bearing No. 8
of 2013 which was dismissed for non-prosecution on 03.05.2014.



Thereafter, the defendant filed a miscellaneous case bearing No. 2 of 2014 to recall the order dated 03.05.2014.

4. It has been submitted that the defendant somehow or other wants to prolong the disposal of the suit. According to the petitioner, she has filed the suit under the provision of Bihar Building (Lease Rent and Eviction Control) Act, 1982 which is required to be decided expeditiously as per the Act. The grievance of the petitioner is beyond the scope of writ jurisdiction. The petitioner is at liberty to agitate his grievance before the court below.

5. In view of above facts, this application is dismissed. It is desirable for the court below to expedite the trial in accordance with law.

(Sanjay Kumar, J)

Mahesh/-

AFR/NAFR	NAFR
CAV DATE	N/A
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