

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Revision No.108 of 2014

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Kailash Kumar Loharika Son of Late Bajrang Lal Loharika Resident of
Mohalla - Mishratola, Near Nag Mandir, P.S. Town, Dist. - Darbhanga

... .. Petitioner/s

Versus

1. Shri Satish Mahto @ Sri Satish Chandra Mahto Son of Late Ram Kishun
Mahto @ Bhukhal Mahto Resident of Mohalla - Bakarganj Laheriasarai, P.O.
& P.S. - Laheriasarai, Distt. - Darbhanga ...Plaintiff/Opp.Party 1st set.
2. Shambhu Kumar Loharika Son of Late Bajrang Loharika Resident of Mohalla
- Mishra Tola Near Nag Mandir, P.S. - Town, Dist. - Darbhanga

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Shambhu Nath Jha, Adv
For the Respondent/s	:	Mr.Virendra Prasad, Adv
	:	Mr. Ugranath Malik,Adv

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 11-01-2019

Heard the parties.

2. This revision application has been filed in the year 2014. Petitioner is defendant in Eviction Suit No.09 of 2010 brought by opposite party No.2 for eviction on the ground of personal necessity.

3. The petitioner filed a petition before the learned court below that there is no relationship of landlord and tenant between the parties rather the firm M/s Ashish Vastralaya of which the petitioner is a partner is a necessary party. The petitioner desired that the suit be dismissed on the preliminary issue that there is no relationship of landlord and tenant. Learned court below has refused the prayer by a detailed and reasoned order



dated 20.06.2014 which is challenged herein. The issue shall be decided alongwith other issue at the time of final adjudication of the suit. Hence, there is no merit in this revision application.

4. Accordingly, it stands dismissed as devoid of any merit.

(Birendra Kumar, J)

Nitesh/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	17.01.2019
Transmission Date	NA

