

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.45 of 2019

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Yugal Kishore Sharma Son of Late Jagdish Sharma, Permanent resident of Mohalla- Sri Ganesh Dutt Nagar, Raja Bazar at and Post Office Jehanabad at present resident at Village Bajitpur Post Office and Police Station Belaganj, Anchal Belaganj, District- Gaya.

... .. Petitioner/s

Versus

Manoj Kumar Son of Late Surendra Singh, Resident of Village- Belaganj, Police Station- Belaganj, District- Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Arvind Kumar Sharma
For the Respondent/s : Mr.

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CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL ORDER

2 22-01-2020 The petition filed on 07.01.2019 is listed for hearing
for the first time today before the Court.

Petitioner has prayed for the following relief(s)

(i) For quashing the order dated 31.10.2018 as contained in Annexure-8 passed by the learned Munsif III, Gaya in Eviction Suit No. 1/17 by which application filed by the respondent on 6.6.2018 under Section 15 of the Bihar Building (Rent, Eviction and Control) Act, 1982 has been allowed with the following observation:-

Moreover, as per the provisions of Section 52 of the Indian Limitation Act, the defendant is directed to pay arrears of rental starting from 02.11.2013 till 31.10.2018 and thereafter monthly rentals starting from 01.11.2018 at the rate of Rs. 1666/- per month. The tenant defendant is directed to deposit the arrears of



rent within 15 days of the date of order or the rent at the rate of Rs. 1666/- for any month by the 15th day of the next following month.

(ii) Also for directing the respondents not to give effect of the order dated 31.03.2018 against the petitioner in any manner and also for necessary direction for which the petitioner is found entitled to under the law.

(iii) Also for declaring the application filed under Section 15 of the Act, 1982 as contained in Annexure-6 on the basis of which the impugned order dated 31.10.2018 as contained in Annexure-8 has been passed is void ab initio, illegal and bad in law.

(iv) Also for necessary order or order to which the petitioner is found entitled to in the facts and circumstances of the case.”

Learned counsel for the petitioner seeks permission to withdraw the present petition.

Prayer allowed.

The petition is accordingly dismissed as withdrawn.

(Sanjay Karol, CJ)

sujit/-

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