

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.370 of 2018**

1. Murari Prasad, Son of Late Ganesh Prasad.
 2. Bindu Devi, Wife of Murari Prasad.
 3. Omjee Prasad, Son of Murari Prasad.
 4. Smt. Shilpi Devi @ Shilpi Devi, Wife of Omjee Prasad.
 5. Sonu Kumar, Son of Murari Prasad.
- All are resident of Mohalla- Sahebganj, Sonarpatti, Police Station Chapra Town, District- Saran (Chapra).

... .. Petitioner/s

Versus

- 1.1. Rukhshana Khatun, Female aged about 48 years, wife of Late Sagir Hassan @ Teju.
 - 1.2. Saddam Khan, Male aged about 29 years, Son of Late Sagir Hassan @ Teju.
 - 1.3. Saffadar Khan, Male, aged about 27 years, Son of Late Sagir Hassan @ Teju.
 - 1.4. Sahjad Khan @ Nunu, Male, aged about 25 years, Son of Late Sagir Hassan @ Teju.
 - 1.5. Reshma Praveen, Female, aged about 26 years, Daughter of Late Sagir Hassan @ Teju.
 - 1.6. Nashreen Praveen, Female, aged about 23 years, Daughter of Late Sagir Hassan @ Teju.
- All are resident of Mohalla- Imli Mohalla, Police Station- Chapra Town, District- Saran Chapra.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar Rai, Advocate
For the Respondent/s : Mr. Akhileshwar Pandey, Advocate

**CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER**

13 20-04-2023 Heard learned counsel for the parties.

2. This Civil Miscellaneous Application has been filed under Article 227 of the Constitution of India against the order dated 10.01.2018 passed in Eviction Suit No. 04 of 2009 whereby the learned Subordinate Judge – VII, Saran rejected the



petition dated 02.03.2017 filed under Section 15 of Bihar Buildings (Lease, Rent & Eviction) Control Act, 1982 has been dismissed.

3. Learned counsel for the respondents submits that respondents shall make payment of arrear amount at the rate of Rs. 120/- per month within six weeks from today and shall continue to make payment Rs. 1,000/- per month as monthly rent from this month to the petitioners.

4. Learned counsel for the petitioners submits that petitioners are ready to accept the said amount.

5. Learned counsel for both the parties submits that this case may be disposed of accordingly and since suit is of the year 2009 and it is in the interest of justice that the suit may be decided expeditiously and both the parties shall cooperate the trial Court in this regard.

6. Considering the submissions of learned counsel for the parties, this Civil Miscellaneous Application is disposed of with the direction to the learned trial Court to expedite disposal of the Eviction Suit No. 04 of 2009 and both the parties are also directed to co-operate the trial Court for expeditious disposal of the said suit and shall not give any unnecessary adjournment in the suit. The respondents are directed to make the payment of



arrear amount within six weeks from today and shall continue to
make monthly payment as stated above.

(Sunil Dutta Mishra, J)

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