

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5889 of 2023

-
1. Bhula Bhay @ Kumar Bhula Bhai Son of Late Ramjee Sah, resident of Village - Thalha Garhia, Ward No. - 11, Near Central Bank, Triveniganj, Sundry Shop No. - 20, P.O. and P.S. - Triveniganj, District - Supaul, Pin - 852139.
 2. Hemant Kumar, son of Sri Late Tanuk Lal Yadav, resident of Village - Malhanma, P.O. - Malhanma, Sundry Shop No. - 16, P.S. - Triveniganj, District - Supaul, Pin- 852139.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Agriculture Department, Government of Bihar, Patna.
2. The Collector, Supaul, District - Supaul.
3. The Sub-Divisional Officer-cum-Rent Controller, Triveniganj, District - Supaul.
4. The Sub-Divisional Officer-cum-Special Officer, Agriculture Produce Market Committee (Dissolved) Triveniganj, District - Supaul.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar, Advocate
For the Respondent/s : Mr.Anant Pd. Singh (SC-15)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 16-10-2023 The present writ petition has been filed
seeking the following relief:-

"1. That this is an application on behalf of petitioners for issuance of a writ of Certiorari for quashing/setting aside the order dated 02.11.2022 passed by the respondent no. 3 in Rent Enhancement Case No.-01/2022 u/s 5 of the Bihar Buildings (Lease, Rent & Eviction) Control Act, 1982 whereby and whereunder the rent of "Sundry Shops" no. 1 to 40 measuring area



2.18x3.67m=8m²/86sft each has been abruptly enhanced five times i.e. from Rs.300/- to Rs. 1500/- per month at the instance of respondent no.- 4 who happens to be the same authority/person, meaning thereby the person who had applied for enhancement of rent, the same person has passed the order for enhancement of rent which is in violation of cardinal principle of law that "No one can be Judge of his own cause" AND petitioners further pray for issuance of any other writ/writs, order/orders, direction/ directions which the Hon'ble Court may deem fit and proper."

2. After some arguments, the learned counsel for the petitioners seeks liberty on behalf of the petitioners to challenge the order dated 02.11.2022 passed by the Sub-Divisional Officer, Triveniganj in Rent Enhancement Case No. 1 of 2022 by filing appropriate Appeal. Liberty, so sought, is granted.
3. The writ petition stands disposed off.

(Mohit Kumar Shah, J)

S.Sb/-

U			
---	--	--	--

