

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.438 of 2023

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Ravi Ranjan Jaiswal @ Ravi Ranjan Kumar Jaiswal S/o Late Dinesh Chandra Prasad, @ Dinesh Prasad Jaiswal Resident of Mohalla, P.O. and P.S.-Ghora Sahan, District-East Champaran, presently resident of -M/s Lazeez Restaurant and Lagan Balnquet Hall, Yogendra Mukherjee Road, Saraiyaganj, P.S. Town and District- Muzaffarpur.

... .. Petitioner/s

Versus

Shailendra Choudhary S/o Dr. Kiran Shankar Choudhary, resident of Mohalla- Gopaljee Lane, Sairaiyaganj, P.S. Town and District- Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Manish Jha
For the Respondent/s : Mr. Ramesh Kumar Agrawal

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 19-09-2023 Heard the learned senior counsel for the petitioner and learned counsel for the respondent.

2. Learned senior counsel for the petitioner has submitted that he may be permitted to pay the balance amount of rent within three months in three equal installments and the payment shall be subjected to the result of the eviction suit as the petitioner is the brother-in-law (*Bahnoi*) of the plaintiff.

3. Learned counsel for the respondent has opposed the prayer of the petitioner on various grounds.

4. Considering the fact of the case I am of the view that the prayer of the petitioner should be allowed. The petitioner is permitted to deposit the amount in three equal monthly installments and the same shall be subject to the result



of the eviction suit. No further extension shall be granted to the petitioner for the deposit of the amount.

5. The court below is directed to proceed with the eviction suit. The Sub-Judge concerned hearing the Partition Suit No. 356 of 2013 is directed to dispose of the partition suit within six months of receipt of copy of this order as the parties are brother and sister.

6. In view thereof, this application disposed of.

6. Let a copy of this order be communicated to the District Judge, Muzaffarpur for its compliance.

(Sandeep Kumar, J)

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