

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15026 of 2023

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Ishwarchand Singh @ Ishwarchand Son of Late Dashrath Singh, Resident of
Mohalla- Nayka Gaon, Police Station- Sasaram Town, District- Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Urban Development and Housing Department, Govt. of Bihar, Patna.
2. The Divisional Commissioner, Patna Division, Patna.
3. The Collector-cum-District Magistrate, Rohtas at Sasaram.
4. The Rent Controller- cum- Sub-Divisional Officer, Sasaram, District- Rohtas.
5. Sarfaraz Ahasan Khan, Son of Late Ahsanullah Khan, Resident of Mohalla- Baradari, Police Station- Sasaram Town, District- Rohtas.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Rajani Kant Singh
For the Respondent/s : Mr.Kinkar Kumar (Sc 9)

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 05-04-2024 This is an application for quashing the order dated 13.06.2023 passed by Divisional Commissioner, Patna in B.B.C. Revision No. 162 of 2022 as contained in Annexure-06 by which the Divisional Commissioner, Patna has rejected the revision application affirming the order dated 17.05.2022 passed by learned Collector-cum-District Magistrate, Rohtas at Sasaram.

2. The petitioner has lost before the three authorities. The petitioner is paying rent of Rs. 1,700/- and the new rent fixed is of Rs. 5,914/-. The shop in question is situated



near the Railway Station in the Sasaram Town.

3. Considering the facts of the case, I am not inclined to interfere in the impugned order as no procedural illegality has been pointed out by the learned counsel for the petitioner.

4. An Eviction Suit No. 07 of 2021 on the ground of personal necessity and default has been filed by the landlord which is pending in the court of Munsif-I, Sasaram.

5. The Munsif-I, Sasaram is directed to decide the suit after hearing both the parties within three months from the date of communication of a receipt/production of a copy of this order.

6. The landlord as well as the tenant will cooperate in the disposal of the eviction suit.

7. The Munsif-I, Sasaram will proceed ex-parte against the non-cooperating party.

8. With the aforesaid direction(s), this application is dismissed.

9. Since the writ petition has been dismissed and the matter has been decided, the petitioner will deposit the arrears of rent and go on paying the current rent as per the decision by the Rent Controller.



10. Let a copy of this order be communicated to the District Judge, Sasaram through FAX for its compliance forthwith.

(Sandeep Kumar, J)

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