

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.1256 of 2023

=====

Anwar Hasan Son of late Mazhar Hasan Resident of Mohalla- Ramna Bagh,
Naya Tola, P.O.- Bankipur Baripath, P.S- Pirbahore, District- Patna-800004.

... .. Petitioner/s

Versus

1. Sri Sanjeev Agrawal Son of Lal Mohan Agrawal Resident of Jokhi Plaza
Upper Bazar, Ranchi, Jharkhand.
2. M/S Balajee Kagaz House through its Proprietor Sri Satish , having its
business firm office in suit premises at Mohalla- Saidpu Road, P.O-
Bankipur, P.S-Kadamkuan, District- Patna.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr.Ashish Giri, Advocate Mr. Sumit Kumar Jha, Advocate Ms. Riya Giri, Advocate
For the Respondent/s	:	Mr.

=====

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL JUDGMENT

Date : 11-01-2024

Heard learned counsel for the petitioner.

2. The instant petition has been filed seeking following
reliefs :

- “i. For a direction to the Learned Trial Court
(Learned Munsif 1st, Patna) for early disposal
of Eviction Suit No. 60/2015 which is
pending almost since 8 years and 6 months.
- ii. To any other relief or reliefs for which the
petitioner are found to be entitled in the facts
and circumstances of the case”.



3. At the very outset, learned counsel for the petitioner submits that the petitioner is the owner and landlord of the suit property and he entered into a lease agreement with respondent no. 1 which has ended in 2005. After execution of the lease agreement, respondent no. 1 used the premise of the petitioner and paid rent as agreed. However, after 2005 respondent no. 1 became traceless and no rent was paid by him since 2005. Thereafter, the petitioner came to know that the respondent no. 2 is occupying the premise of the petitioner without there being any lease agreement in his favour and without the consent of the petitioner, respondent no. 1 has sublet the premise of the petitioner to respondent no. 2. Thereafter, the petitioner filed Eviction Suit No. 60 of 2015 before the learned Munsif-I, Patna on 26.05.2015. But even after lapse of so much time, the aforesaid eviction suit is still at the stage of plaintiff's evidence. The learned counsel further submits that it will suffice if a direction for disposal of the eviction suit within a reasonable period is issued without entering into the detailed merits of the matter.

4. Since, it is the matter seeking direction to the learned trial court for expeditious disposal of eviction suit, I do not think there is any need to issue notice to the respondents.



5. It is very unfortunate that the eviction matters are delayed for such a long period, though the same are required to be decided in a time bound manner under the provisions of the Bihar Buildings (Lease, Rent and Eviction) Control Act, 1982.

6. Since the instant petition has been filed only seeking relief of expeditious disposal of the Eviction Suit No. 60 of 2015, the same is disposed of with a direction to the learned Munsif-I, Patna to dispose of the aforesaid Eviction Suit No. 60 of 2015 on its merits and in accordance with law within a period of six months from the date of receipt/production of a copy of this order.

(Arun Kumar Jha, J)

DKS/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	12.01.2024
Transmission Date	N/A

