

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13878 of 2013

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Baijnath Prasad Gupta, Son Of Late Janki Prasad, R/O Village- Deo, P.S.-
Deo, District- Aurangabad

... .. Petitioner/s

Versus

1. The State Of Bihar through the District Magistrate, Aurangabad
2. The S.D.O., Aurangabad
3. The B.S.N.L. through Its Chief General Manager, Patna
4. The B.S.N.L., General Maanger Telephones, Gaya
5. The Divisional Engineer Telephones, B.S.N.L., Gaya
6. The Assistant Engineer Telephones, B.S.N.L., Aurangabad

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 3407 of 2015

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1. Bharat Sanchar Nigam Ltd. through the Chief General Manager, Bihar Circle, Patna.
 2. Chief General Manager, Bihar Circle, Patna.
 3. General Manager, Telecom District, BSNL, Gaya.
 4. Divisional Engineer (Phones), BSNL, Aurangabad.
 5. Sub-Divisional Engineer (Phones), BSNL, Aurangabad.

... .. Petitioner/s

Versus

1. The State Of Bihar through Commissioner, Magadh Division, Gaya
2. The Commissioner, Magadh Division, Gaya.
3. The District Magistrate, Aurangabad.
4. The S.D.O., Aurangabad.
5. Baijnath Prasad Gupta. S/o Late Janki Prasad. R/o village - Deo, P.S.- Deo, Dist.- Aurangabad.

... .. Respondent/s

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Appearance :

(In Civil Writ Jurisdiction Case No. 13878 of 2013)

For the Petitioner/s : Mr. Anil Kumar Sinha, Adv.

For the Res. 3 to 6 : Mr. Ashok Dubey, Adv.

For the State : Mrs. Jahan Ara, AC jto GP-14

(In Civil Writ Jurisdiction Case No. 3407 of 2015)

For the Petitioner/s : Mr. Mr. Ashok Kumar Dubey, Adv.

For the State : Mr. Arun Kumar AC to GP-1



For the private Res. : Mr. Anil Kumar Sinha, Adv.

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

13 31-07-2025 Heard learned counsel for the petitioner, learned counsel for the B.S.N.L. and learned counsel for the respondent -State.

2. The present writ application has been filed for directing the concerned respondent authorities to comply with the order dated 10.09.2008 passed by the S.D.O., Aurangabad in connection with Rent Case No. 4 of 2009 as also the order dated 08.02.2011 passed by the District Magistrate, Aurangabad in connection with House Rent Fixation Case No. 53 of 2009 whereby and whereunder the order passed by the S.D.O., Aurangabad was affirmed and also prayer was made to direct the concerned respondent authorities to pay the rent to the petitioner along with the interest for the delayed payment.

3. The dispute was between the petitioner and B.S.N.L.

4. Learned counsel appearing for the B.S.N.L. submits that during the pendency of this writ application both the petitioner and the respondent B.S.N.L have amicably settled their dispute by entering into an agreement dated 08.04.2025 and now no cause of action subsists for the petitioner to pursue



with the present writ application. In this regard learned counsel for the B.S.N.L. has made specific statement in paragraph '5' of the 2nd supplementary counter affidavit which is quoted hereinbelow for needful:

“That, the dispute of rent with the respondent no. 5 namely, Baijnath Prasad Gupta was travelled from the court of House Rent Controller to the Hon'ble High Court but now during the pendency of writ petition, dispute between the parties has been settled vide agreement No. GTD/PLG/B-230/DEOXGE/54 dated 08.04.2025 and amount under agreement has already been paid to the respondent no.5.”

5. Copy of the agreement has also been enclosed along with the 2nd supplementary affidavit.

6. Learned counsel for the petitioner also agrees that his dispute with B.S.N.L. stand settled vide agreement dated 08.04.2025 and hence no cause of action survive to pursue the present writ application. He therefore, prays that the present writ application be disposed of in the light of the agreement which has been reached at between the petitioner and respondent B.S.N.L. on 08.04.2025.

7. As prayed for by learned counsel for the petitioner and by the learned counsel appearing for the respondent B.S.N.L, the present writ application is disposed of in the light



of the agreement dated 08.04.2025 which has been reached at between the petitioner and the respondent B.S.N.L., holding that now no cause of action survive to pursue with this writ application.

8. With the aforesaid observation and direction the present writ application stands disposed of. All pending I.As, if any, shall be deemed to have been disposed of.

C.W.J.C. No. 3407 of 2015

9. Heard learned counsel for the petitioner and learned counsel appearing for the respondent no.5 (Bajinath Prasad Gupta).

10. In the present writ application, the petitioner B.S.N.L. has challenged the order dated 08.02.2011 passed by the District Magistrate, Aurangabad in House Rent Fixation Case No. 53 of 2009, as well as Order dated 07.11.2013, passed by the Commissioner, Magadh Division, Gaya, in House Rent Revision Case No. 22 of 2013.

11. The dispute of the petitioner with regard to rent was with the respondent no.5 (Bajinath Prasad Gupta).

12. Learned counsel for the petitioner submits that during the pendency of the writ application the petitioner as well as respondent no.5 (Bajinath Prasad Gupta) has entered into an



agreement dated 08.04.2025 which has been brought on record by way of Annexure to the 2nd supplementary affidavit filed by the petitioner. In this regard, statement has also been made in paragraph '4' of the supplementary affidavit filed by the petitioner which is quoted hereinbelow for needful:

“That, the dispute of rent with the respondent no. 5 namely, Baijnath Prasad Gupta has travelled from the court of House Rent Controller to the Hon'ble High Court but now during the pendency of writ petition, dispute between the parties has been settled vide agreement No. GTD/PLG/B-230/DEOXGE/54 dated 08.04.2025 and amount under agreement has already been paid to the respondent no.5.”

13. Learned counsel for the petitioner submits that the dispute between the petitioner and respondent no.5 stand fully and finally settled by agreement dated 08.04.2025 and now no cause of action survive to further pursue in the present writ application.

14. He accordingly prays that the present writ application may be disposed of in light of the agreement dated 08.04.2025.

15. Learned counsel appearing for the respondent no.5 (Baijnath Prasad Gupta) agrees with the contention made by the learned counsel appearing for the petitioner.



16. As jointly prayed by both the parties, the present writ application is disposed of in light of the agreement dated 08.04.2025 by which both the parties have amicably settled their dispute and now no cause of action survive to pursue with the present writ application.

17. With the aforesaid observation and direction the present writ application stands disposed of. All pending I.As, if any, shall be deemed to have been disposed of.

(Alok Kumar Sinha, J)

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