

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16202 of 2016

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1. Allahabad Bank through its Zonal Manager, Muzaffarpur Zone, Om Shanti Complex, Zila School, Main Road, Muzaffarpur
 2. Zonal Manager, Allahabad Bank, Muzaffarpur Zone, Om Shanti Complex, Zila School, Main Road, Muzaffarpur
 3. Branch Manager, Allahabad Bank, Kanhauli Branch, Gaushala Road, Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Revenue Department
2. Commissioner, Tirhut Division, Muzaffarpur
3. Collector cum District Magistrate, Muzaffarpur
4. Sub Divisional Officer, East Muzaffarpur
5. Shyam Nandan Tiwary alias Munna Tiwary, son of Late Jagdish Tiwary, resident of Mithanpura, P.S. Mithanpura, District-Muzaffarpur

.... Respondent/s

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Appearance:

For the Petitioner/s : Mr. Rajan Ghoshrave

For the Respondent/s : Mr. Sajid Salim Khan, SC-25

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 30-09-2016

Heard Mr. Rajan Ghoshrave, learned counsel for the petitioner and Mr. Sajid Salim Khan, learned Standing Counsel-25 for the State.

The Bank is before this Court being aggrieved by fixation of fair rent. The claim of the private respondent raised for fixation of fair rent under the provisions of Section 5 of the Bihar Buildings (Lease, Rent and Eviction) Control Act, 1982 has been upheld not only by the House Controller but the opinion has been affirmed by the Collector in Appeal as well as by the revisional authority.

There being a concurrent finding of fact as regarding the fixation of rent, I am not persuaded with the argument of Mr. Ghoshrave to interfere with the same. The petitioner as a State within the meaning of Article 12 should not be engaging itself in frivolous litigation once there is a concurrent finding on facts and the opinion stands confirmed by the statutory authorities at each stage of the proceedings.

The writ petition is dismissed.

(Jyoti Saran, J)

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