

कॉपी का सं० और तारीख	आदेश और पदाधिकारी का हस्ताक्षर	आदेश पर की गई कार्रवाई के बारे में टिप्पणी, तारीख के साथ
1	2	3

20.02.2021

IN THE COURT OF THE DEPUTY COMMISSIONER, RANCHI

J.B.C Appeal No.-37 R 15/2018-19

Vinay Kumar Son of Sarju Prasad

R/o Sukhdeonagar Bank, Near Lah Kothi,
Ratu Road, P.S. Sukhdeonagar, District Ranchi Appellant
-Versus-

Prabhakar Gautam Son of Prakash Chandra Gautam
R/o North Market Road, Upper Bazar,
P.S. Kotwali, District Ranchi Respondent

ORDER

Instant appeal has been preferred against the order dated 29.08.2018 passed by the Learned House Rent Controller – Cum – Sub-Divisional Officer, Sadar, Ranchi in JBC Case No.-42/2016, wherein the Learned House Rent Controller vide impugned order dated 29.08.2018 has passed an order for eviction of the appellant U/s 19 (1) (c) (d) of the Jharkhand Building (Lease, Rent and Eviction) Control Act, 2011 from the premises standing over the land under Khata No.-95, Plot No.-901 area 500 Sq.Ft. of Village Hesal, P.S. Sukhdeonagar, District Ranchi.

As per the appellant, there is no relationship of landlord and tenant between the parties. The land under Khata No.-95, Plot No.-901 area 4 Katha of Village Hesal was acquired by the grandfather of the respondent namely Munshi Mahto through Sada Hukumnama executed by the then landlord namely Bandhna Oraon, Lohra Oraon and Lilu Oraon on 05.01.1945. The said Munshi Mahto exercised possession of the same till his life time. After the death of Munshi Mahto, the father of the appellant namely Sarju Prasad became the owner of the property. In the year 1985, he demolished the old structures and constructed an asbestos sheet roofed house consisting of four rooms with latrine and bathroom. The property under agreement dated 12.02.1996 is quite different,



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as it is situated within Plot No.-902. The appellant had entered into an agreement for lease with the respondent on 12.02.1996 for an area of 500 Sq.Ft. under Khata No.-95, Plot No.-901 and constructed cow shed. The aforesaid portion has already been vacated by the appellant in the year 2009.

On the last date, inspite of regular call no one appeared on behalf of the appellant. It appears that the appellant has lost interest in pursuing the instant appeal.

On going through the record, I find that, the learned predecessor court had directed the appellant on 06.03.2019 to submit the arrear of rent amounting to Rs.43,500/- through bank draft as per the direction made by the learned courts below vide impugned order dated 29.08.2018. In spite of aforesaid specific direction made by the learned predecessor court, the appellant has not paid the entire amount to the respondent till date. On 09.12.2020, the appellant was directed to submit the remaining amount as per the order dated 06.03.2019. On request of appellant for granting 15 days time to comply with the order dated 09.12.2020, one month time was granted to him, but till date he has not complied with the aforesaid order.

It appears that the appellant has got no regard for directions issued by this court. It also appears that the appellant has lost interest in pursuing the instant appeal, Even after giving several opportunities.

Hence without delving into the merit of the case, the proceeding of the instant appeal is hereby dropped.

Communicate this order to the S.D.M-cum-House Controller, Sadar, Ranchi for information and necessary action.

Dictated and corrected by me


20/12/21
Deputy Commissioner
Ranchi


20/12/21
Deputy Commissioner
Ranchi