

Title Appeal No.124 of 2025.

Order No.09 dated 02.02.26.

Today is fixed for hearing of petition u/s 151 of CPC for allowing the defendant / appellant to deposit the monthly rent before the Ld Trial Court.

Both sides file their respective haziras.

The contention of the petitioner / appellant in a nutshell is that during the pendency of the suit, the appellant / defendant deposited monthly rent before the Ld Trial Court in connection with the Title Suit No.5 of 2018 upto January 2026 and now the appellant is facing trouble to deposit the rent for further subsequent month and accordingly prays for direction from this Court to deposit the monthly rent from the month of February 2026 and onwards in connection with Title Suit No.5 of 2018 before the Ld Civil Judge (Sr Divn) 1st Court, Howrah.

Heard Ld Advocate of the appellant who submitted that the appeal is continuation of the suit and accordingly prays for necessary direction for depositing of monthly rent as per prayer of the petition.

Heard Ld Advocate of the respondent who submitted that if the Court passes any direction that would be at the risk of the appellant.

Having considered the submissions of both sides and contention of the petition, the prayer of the petitioner / appellant / defendant dated 30.01.26 is hereby allowed.

The appellant / petitioner / defendant is directed / permitted to deposit the monthly rent from the month of February 2026 and onwards in connection with Title Suit No.5 of 2018 before the Ld Civil Judge (Sr Divn) 1st Court, Howrah by challan by 10th day of each month as per English Calender starting from the month of February 2026 till the disposal of the appeal at his own risk till any further order of modification or alteration or variation is passed by this Court.

The petition for stay extension of order of ad interim order dated 22.09.2025 is filed by the appellant praying for passing an order for extension of ad interim order of stay.

Heard. Considered. The prayer of the petition is allowed.

Accordingly, the stay order dated 22.09.2025 is extended till next date i.e. 13.03.26 subject to the payment of occupational charges as per direction passed by the Court dated 22.09.2025.

Call for LCR.

To date.

Additional District Judge,
2nd Court, Howrah.
In-charge.

