

Ejectment suit 10 of 2024
(CNR No. WBPS01-000017-2024)
Before Shri. Ashutosh Kumar Singh, Ld. Chief Judge

05

17.05.2024

Today is fixed for filing written statement by the defendant.

Record reveals that on 18-03-2024 defendant filed petitions u/s 7(1) & 7(2) of W.B.P.T. Act on the strength of put up petition and the petition u/s 7(1) of W.B.P.T. Act was allowed on the self same day.

Plaintiff files hazira along with a written objection against the petition u/s 7(2) of W.B.P.T. Act and another petition praying for permission for withdrawal of rent deposited by the defendant in favour of the plaintiff, on the grounds stated therein. Copies served.

Defendant files hazira along with written statement, on the grounds stated therein. Copy served.

On call Ld. Advocates for the parties are found present.

The petition petition praying for permission for withdrawal of rent is taken up for hearing.

Ld. Lawyer for the plaintiff moved the application filed on this day and has submitted that after appearing in the suit, defendant has deposited admitted arrears of rent and current rent in Court in his favour. By the instant application, plaintiff prays for withdrawal of the same.

Heard Ld. Advocates for both parties. Perused the petition and materials on record.

Considered.

It appears from the record that the relationship between the parties are not in dispute.

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05 (contd...)

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As the defendant has endorsed “no- objection” on the petitions , I am inclined to allow the prayer of the plaintiff.

Plaintiff is permitted to withdraw the admitted arrears of rent as well as current rent, if any, deposited by the defendant in Court in his favour, after following necessary procedure without prejudice to the rights and contentions of the parties in accordance with law.

Perused the written statement and materials on record. Where from it reveals that defendant has received the summons on 29-02-2024 and written statement filed today i.e. 17-05-2024.

However in order to give the defendant a fair chance to contest the suit on merit written statement filed by the defendant this day is accepted.

This court finds that the suit is ready for trial. Let the case record be transfer to

Ld. 4th Bench P.S.C. Court, Calcutta. Parties are directed to appear before the

transferee court on **22-07-2024.**

Dictated & Corrected
by me

Chief Judge

Chief Judge
J.O. Code WB 01244