

Ejectment suit 35 of 2024
(CNR No. WBPS01-000067-2024)

Before Shri. Ashutosh Kumar Singh, Ld. Chief Judge

05.

17-05-2024.

Today is fixed for passing necessary order regarding filing of written statement within the prescribed period of limitation.

Record reveals that on 27-03-2024 defendant filed petitions u/s 7(1) & 7(2) of W.B.P.T. Act, on the strength of put up petition.

Today plaintiff files hazira along with postal track report and postal registration receipt. Let the same be kept in the case record.

Defendant files hazira along with with a petition praying for time for filing written statement, on the grounds stated therein. Copy served.

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

Today Ld. Advocate for the plaintiff received copies of petitions u/s 7(1) & 7(2) of W.B.P.T. Act from the case record after endorsement.

The petition u/s 7(1) of W.B.P.T. Act is taken up for hearing.

Heard Ld. Advocates for both parties. Perused the petition u/s 7(1) of W.B.P.T. Act and materials on record.

By the instant petition, defendant has prayed for permission to deposit the current rent as well as the admitted arrears of rent in terms of his prayer mentioned in the said petition as per law on the grounds stated therein.

The petition is within time and also formal in nature. Unless the same is allowed, defendant shall suffer loss and injury. Besides, the plaintiff shall not be prejudiced in any way if, the same is allowed.

Hence,

it is

05 (Contd...)
17-05-2024.

Ordered

that the petition u/s 7(1) of W.B.P.T. Act filed by the defendant is allowed.

Defendant is hereby permitted to pay / deposit the admitted arrear of rent calculated at the rate at which it was last paid and up to the end of the month previous to that in which the payment is made together with interest @ 10% p.a., if any within one month from the date of this order.

Defendant is further at liberty to pay / deposit the current rent commencing from March, 2024 and there after month by month by 15th of each succeeding month at his own risk without prejudice to the right and contentions of the parties in accordance with law.

Prayer for time for filing written statement is considered and allowed.

Fix 19-07-2024 for hearing of petition u/s 7(2) of W.B.P.T. Act, w/o if any in the meantime. Defendant is required to file written statement within the prescribed period of limitation.

Dictated & Corrected

by me

Chief Judge

Chief Judge
J.O. Code WB 01244