

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

Before Shri. Ashutosh Kumar Singh, Ld. Chief Judge

06.

19-07-2024.

Today is fixed 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.

Plaintiff files hazira along with two separate petitions praying for withdrawal of the arrear of rent and current rent deposited by the defendant in Court in favour of the plaintiff and another petition praying for issuance of plaint receipt on the ground stated therein. Copies served.

Defendant files a petition praying for time for hearing of petition u/s 7(2) of W.B.P.T. Act and written statement on the grounds stated therein. Copy not served but attached.

Ld. Advocate for the plaintiff moved the applications 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 applications, plaintiff prays for withdrawal of the same. He further prayed for issue of plaint receipt.

Heard the Ld. Advocates for both side, perused the petition and materials on record.

Considered.

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

I am inclined to allow the prayer of the plaintiff.

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06 (contd...)

19-07-2024.

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.

Issue plaint receipt if already not issued.

Perused the petition praying for time for hearing of petition u/s 7(2) of W.B.P.T.

Act and materials on record.

Prayer for time is considered and allowed.

Fix 18-09-2024 for hearing of petition u/s 7(2) of W.B.P.T. Act, w/o if any in the meantime and consideration of acceptance of written statement filed by the defendant this day.

Chief Judge

J.O. Code WB 01244