

EJECTMENT SUIT NO. 40 OF 2021
C. N. R. NO. WBPS01-000074-2021
Before Sri Sridhar Chandra Su, Ld. Judge, 5th Bench.

ORDER NO. 11 DATED 14.01.2022

Today is fixed for hearing of the petition under Sec.7(2) of the W. B. P. T. Act.

Both parties have filed their respective haziras.

Defendant has also filed xerox copies of challans with firisti.

Ld. Advocates for both sides are present.

The record is taken up for hearing of the petitionn dated 15.11.2021 filed by the defendant.

Heard ld. Advocates for both sides.

Perused the petition and the materials on record.

It is submitted by the ld. Advocate for the defendant that the defendant has deposited rent regularly before this Court till July 2021 but thereafter, failed to go on depositing rent due to ill health of his lawyer's Clerk. Moreover, ld. Advocate for the defendant was also suffering from Dengue for which also defendant was not able to deposit the rent since August 2021 and hence prayed for permission to deposit the rents from the month of August 2021 onwards.

Ld. Advocate for the plaintiff has raised no objection to the prayer of the defendant.

Considering the submissions of ld. Advcates for both sides, the petition and the materials on record, I find no impediment to allow the instant petition of the defendant.

Hence, it is ORDERED that the petition dated 15.11.2021 filed by the defendant is allowed on contest.

Defendant is permitted to deposit the rent since the month of August 2021 onwards till date along with statutory interest at his own risk.

The petition dated 15.11.2021 filed by the defendant is disposed of accordingly.

Fix 16.03.2022 for hearing petition under Sec.7(2) of the W. B. P. T. Act.

Dictated and corrected by me,

JUDGE

JUDGE
[5TH BENCH]
J.O. Code No. WB-00-620.