

Ejectment suit 46 of 2024
(CNR No. WBPS01-000090-2024)

Before Shri. Ashutosh Kumar Singh, Ld. Chief Judge

04.

05.06.2024.

Today is fixed for hearing of petitions u/s 7(1) & 7(2) of W.B.P.T. Act, w/o if any in the meantime. Defendants is required to file within the prescribed period of limitation. Date also fixed for hearing of petition filed by the plaintiff on 08-04-2024.

Plaintiff files hazira.

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

On call Ld. Advocate for the defendant is found present.

On repeated calls none appeared on behalf of the plaintiff.

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

Heard Ld. Advocate for the defendant. 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 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

Ordered

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

Defendant is 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 05-07-2024 for hearing of petition u/s 7(2) of W.B.P.T. Act, w/o if any in the meantime. Defendants is required to file within the prescribed period of limitation. Todate also fixed for hearing of petition filed by the plaintiff on 08-04-2024, w/o if any in the meantime.

Dictated & Corrected

by me

Chief Judge

Chief Judge
J.O. Code WB 01244