

EJECTMENT SUIT NO.: 86 OF 2023
(CNR No. WBPS01-000186-2023)
(JO CODE No. WB01229)

Order no. - 13
Dt. 19.06.2024

Today is fixed for passing necessary order.

Both parties file hazira.

Now the case record is taken up for hearing the application under Section 7(2) of the W.B.P.T. Act.

Plaintiff files written objection against the petition under Section 7(2) of W.B.P.T. Act.

Copy served to the other side.

Heard Ld. Advocate for the plaintiff who submitted that defendant was monthly tenant under the plaintiff in respect of the suit premises as mentioned in the schedule of the plaint and the present rent is Rs. 1416/- per month.

Heard Ld. Advocate for the defendant who submitted before this court that after making appearance before this court, the defendant has filed two applications under Section 7(1) and 7(2) of the W.B.P.T. Act and the Ld. Chief Judge, Presidency Small Cause Court, Calcutta has been pleased to allow the petition under Section 7(1) and of the W.B.P.T. Act and defendant was permitted to deposit arrear of rent calculated at the rate it was last paid and the current rent commencing from the month of June, 2023 and onwards and the defendant has been duly complied the order of the said court and all the challans have been filed and the defendant is no way defaulter for making payment of rent.

Considered. Perused the petition and the written objection and other materials on record and the challans filed by the defendant.

On perusal of the same, it appears that the rate of rent was Rs. 1416/- per month and the defendant did not deny the rate of rent and on further perusal of the plaint that the plaintiff did not state that the defendant was defaulter for making payment of rent and on perusal of the challans filed by the defendant, it appears that he has paid arrear rent from the month of March, 2023 to May, 2023 at the rate of Rs. 1416/- per month along with 10% interest and the current rent at the rate of Rs. 1416/- per month from the month of June, 2023 till April, 2024.

Considering all the challans, it appears that the defendant has complied the order passed by this court under 7(1) of W.B.P.T. Act and it can be safely said that he is not defaulter for making payment of rent.

Accordingly, the instant petition under Section 7(2) of W.B.P.T. Act, 1997 is hereby disposed of.

To 28.08.2024 for framing of issue.

D/C by me:

Sd/-

Judge, Bench – II,
Presidency Small Cause Court,
Calcutta.

Sd/-

Judge, Bench – II,
Presidency Small Cause Court,
Calcutta.