

EJECTION SUIT NO. – 217/2010

Order no. 62

16.07.2018

Both parties filed hazira.

The record is taken up for hearing of petition u/S 7(3) W. B. P. T. Act.

Heard the Ld. Advocates for both the parties.

On perusal, I find that the plaintiff has stated that by an order dated 27. 02.2017 this court was pleased to dispose of the petition u/S 7(2) of W. B. P. T. Act directing to the defendant to deposit the arrear of rent along with the statutory interest within 30 days from the date of the order. But till date the defendant has not deposited the said amount. As such by operation of Law the defense of the defendant against delivery of possession be struck out.

The defendant by filing written objection has stated that the defendant has deposited the said arrear of rent and is depositing the current rent in compliance with the said order. The defendant in this respect has submitted all the challans.

Considering the above facts and on perusal of the said challans, I find that the defendant has duly complied with the said order and the defendant is not a defaulter at this stage.

Hence, it is

ORDERED

that the petition under section 7(3) of W. B. P. T. Act is hereby rejected.

To 23.08.2018 for P. H.

Judge, 2 nd Bench.

P. S. C. C. Calcutta.