

Ejectment suit 140 of 2023
(CNR No. WBPS01-000319-2023)

Before Shri. Ashutosh Kumar Singh, Ld. Chief Judge

07.

11-06-2024.

Today is fixed for hearing of petitions u/s 7(1) & 7(2) of W.B.P.T. Act, together with hearing of petition u/s 5 of Limitation Act, w/o if any in the meantime. To date also fixed for consideration of show cause and w/s filed by the defendant on 07-12-2023.

Plaintiff files a petition praying for time for hearing, on the grounds stated therein. Defendant files hazira.

On call Ld. Advocates for the parties are found present.

The petition filed by the plaintiff this day is taken up for hearing.

Heard Ld. Advocates for both side.

Perused the petition and materials on record.

Prayer for time is considered and allowed.

Perused the written statement along with the petition dt. 07-12-2023 and materials on record. Where from it reveals that defendant has received the summons on 26-06-2023 and written statement filed on 07-12-2023. which is beyond the statutory period of limitation.

However in order to give the defendant a fair chance to contest the suit on merit, for ends of justice the petition filed by the defendnat on 07-12-2023 praying for condonation of delay for filing written statement accepted but subject to payment of cost of **Rs. 500/-** payable by the defendant to the plaintiff.

Accordingly, the written statement filed by the defendant on 07-12-2023 is accepted.

Let the suit be transfer to **Ld 2nd Bench P.S.C. Court, Calcutta**. Parties are directed to appear before the transferee court on **08-08-2024**. Defendant is directed to file receipt showing payment of cost before the transferee court.

Dictated & Corrected
by me

Chief Judge

Chief Judge
J.O. Code WB 01244