

EJECTMENT SUIT NO :- 153 OF 2020
(CNR No. WBPS01-000264-2020)
(JO CODE No. WB01229)

Order no. - 18
Dt. 14.09.2022

Today is fixed for hearing of petition under Section 151 of CPC filed by the defendant.

Both sides file hazira.

The case record is taken up for hearing of the petition dated 15.06.2022 under Section 151 of the CPC filed by the defendant.

Heard Ld. Advocate for the defendant who submitted before this court that the sole defendant has been died on 11.12.2021 and the present defendant after being substituted by this court, appeared in this suit and filed the instant petition for depositing the rent from the month of December, 2021 to month of April, 2022 and thereafter month by month from May, 2022 onwards.

Heard Ld. Advocate for the plaintiffs who prayed for passing necessary order.

Considered. Perused the instant petition and other materials on record.

On perusal of the same, it appears that on the sole defendant has been died on 11.12.2021 and on 24.02.2022, the petition for substitution filed by the plaintiffs are allowed and legal heirs of deceased defendant was substituted and accordingly the case record was fixed for taking steps upon the substituted defendant and substituted defendant appeared before this court on 15.06.2022 and filed the instant petition for deposit of rent before the court.

Considering the same, the prayer of the defendant is hereby allowed.

Hence, it is

ORDERED

that the instant petition dated 15.06.2022 filed by the defendant and under Section 151 of the CPC is allowed on contest.

The substituted defendant is hereby permitted to deposit the arrear of rent from the month of December, 2021 to May, 2022 and thereafter month by month from June, 2022 and onwards.

Fix 05.12.2022 for hearing of petition under Section 7(2) of W.B.P.T. Act.

D/C by me.

Sd/-

Judge, Bench - II,
P.S.C. Court, Calcutta.

Sd/-

Judge, Bench - II,
P.S.C. Court, Calcutta.