

Ejectment Suit 159 of 2025.
(CNR No. WBPS01-000345-2025.

Before Smt Chandrani Mukherjee Banerjee Ld. Chief Judge.

08.

05/02/2026.

Today is fixed for hearing of application u/s 7(2) of W.B.P T Act filed by the defendant dated 12-09-2025 and consideration of acceptance of Written Statement filed by the defendant on 27-11-2025.

Parties file haziras.

Defendant files documents and original Court deposit challans as per list.

Let the same be kept in the case record.

On call, parties are found present through their respective Ld. Advocates.

The petition u/s 7(2) W.B.P T Act filed by the defendant dated 12/09/2025 is taken up for hearing together with its written objection filed by the plaintiff dt 19-09/2025 .

Heard both sides.

Perused the petition, w/o filed by the plaintiff , and materials on record.

Considered.

At the time of hearing , Ld Counsel for the defendant submitted that after appearance in the suit, all the admitted arrear rents and current rent have been properly deposited by the defendant , and prior to filing of the suit , rent was being deposited before the Office of the Rent Controller , as such, there is no due in payment of rent. Challans and other documents have been filed in Court by the defendant. He prayed for allowing the petition u/s 7(2) of W.B.P T Act.

On the other hand, Ld Advocate for the plaintiff submitted although the plaintiff has filed W/O against the instant petition but after inspecting the challans and other documents filed by the defendant, the plaintiff is satisfied that all the deposits are correct and regular and rents have been paid properly by the defendant . He also prayed for disposal of the petition u/s 7(2) of W.B.P. T Act.

Heard submissions from the parties.

It is admitted by of the parties that the rate of rent, extent of tenancy and the relationship between the parties are not in dispute. The petition is also within time.

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Defendant has filed up to date challans till January-2026 wherefrom it reveals that after appearing in the suit, defendant has deposited the admitted arrears of rent with interest and current monthly rent regularly, and prior to filing of the suit, rent has been deposited in the Office of the Rent Controller and paid to the plaintiff after issuance of rent receipt.

The plaintiff has not disputed the payment of rent made by the defendant.

Therefore, in the given circumstances, this Court finds that the petition filed by the defendant/tenant u/s 7(2) of W.B.P T Act dt 12/09/2025 may be disposed of on consent.

Accordingly,

it is ,

Ordered

that the petition u/s 7(2) of W.B.P T Act filed by the defendant dt 12/09/2025 is disposed of on consent with the observation that no rent is lying due and payable by the defendant till January 2026.

Defendant is directed to go on depositing current rent month by month by the 15th of each succeeding month as per law.

W/s has already been filed by the defendant on 27-11-2025 appears to be within time and hence the same is accepted.

Accordingly let the suit be transferred to the Court of Ld. Judge, 5th Bench, Presidency Small Cause Court, Calcutta for disposal.

Parties are directed to appear before the transferee Court on the date fixed.

To (12//03/2026) for appearance of the parties before the transferee Court.

Chief Judge.

J.O. Code WB 01130.