

Ejectment Suit 167 of 2025.  
[ CNR WBPS01 000 358 2025 ]

Before - Smt Jayashree Banerjee - Ld. Chief Judge.

03.

08-08-2025.

Record is put up today on the strength of a put up application filed on behalf of the defendant.

Today the defendant appears in the suit through his Ld. Advocate by filing vakalatnama along with four separate applications , u/s- 7(1)(a), u/s 7(1) ( c), u/s 7(2) of W.B.P T Act as well as petition u/s -151 of C.P Code on the grounds stated therein. Copies served.

Ld. Advocate appearing for the defendant moved the applications U/s 7(1) (a) & 7(1) ( c) of W.B.P T Act in presence of the plaintiff and submitted that the defendant may be permitted to deposit the admitted arrears of rent with statutory interest as well as current rent in respect of the suit premises in Court as per provisions of Section 7(1) of W.B.P T Act.

It is further submitted by the defendant that the defendant has filed another application u/s 151 of C.P Code today praying for direction upon the plaintiff to supply copies of documents relied by the plaintiff which are annexed with the plaint so that Written Statement could be filed within time.

Ld. Advocate for the plaintiff submitted that so far the applications U/s 7(1) (a) & 7(1) ( c) of W.B.P T Act are concerned, the plaintiff has got no objection and the same may be allowed , subject to that those should be within the prescribed time limit.

He however prayed that defendant may be directed to deposit the arrear amount directly in the back account of the plaintiff, the details of which will be handed over to the defendant .

Regarding the application u/s 151 of C.P.C praying for supply of copies of documents relied by the plaintiff which are annexed with the plaint , plaintiff submitted that the same will be supplied to the defendant by today itself and the petition may also be allowed.

Heard both sides.

Perused the applications as well as materials on record.

In paragraph 1 of the applications U/s 7(1) (a) & 7(1) ( c) of W.B.P T Act, the defendant has stated that summons has been received by it on 10 th July, 2025.

Therefore, the petitions are within time and unless the same are allowed, defendant shall suffer loss and injury.

p.t.o.....

// 2 //

Besides, the plaintiff shall not be prejudiced in any way if the same is allowed.

Accordingly,

it is,

Ordered

that the applications U/s 7(1) (a) & 7(1) (c) of W.B.P T Act filed by the defendant dt 08/08/2025 both are allowed on consent.

Defendant is hereby permitted to pay/deposit the admitted arrear of rent calculated at the rate at which it was last paid and up to the end of the month previous to that in which the payment is made together with interest @ 10% p.a. as prayed for in the applications without prejudice to the rights and contentions of the plaintiff within the time frame as prescribed under the law at its own risk.

He is further at liberty to pay / deposit current rent month by month by 15<sup>th</sup> of each succeeding month at his own risk without prejudice to the right and contention of the parties commencing from the month of August-2025 in accordance with law. The applications U/s 7(1) (a) & 7(1) (c) of W.B.P T Act filed by the defendant are thus disposed of.

At this stage, plaintiff files copy of one original letter issued by the Ld. Advocate for the plaintiff dated 08-08-2025 showing supply of bank details and copies of documents annexed with plaint to the defendant.

Accordingly, the petition u/s 151 of C.P C filed by the defendant also stands disposed of.

To date ( 21/08/2025 ) for hearing of application u/s 7(2) of W.B.P T Act dated 08/08/025 filed by the defendant, w/o if any mean time with further direction upon the defendant to file Written Statement within the prescribed period of limitation.

Dictated & corrected

by me :-

Chief Judge.

J.O .Code:- WB 01049.