

Ejectment suit 157 of 2017  
Before Sri A. Kar :-Ld Chief Judge.

14.

11.01.19

Today is fixed for hearing of petitions u/s 7(1) & 7(2) of W.B.P.T Act , w/o if any , in the meantime.

Plaintiff files hazira. No w/o filed by the plaintiff against the petitions u/s 7(2) of W.B.P.T Act .

Today defendant files hazira.

On call both parties are found present.

Now, the petition of the u/s 7(1) of W.B.P.T. Act filed by the defendants on 12.10.18 is taken up for hearing. Heard Ld advocates for both sides. Perused the plaint, petition and other materials on record. Considered.

By the instant application, defendant has prayed for permission to deposit the current rent as per law on the ground stated therein.

The petition is within time and also formal in nature .Unless the same allowed, defendant shall suffer loss and injury. Besides, the plaintiff shall not be prejudiced in any way if the same is allowed.

Hence, it is,

Ordered

that the application U/s. 7(1) of W.B.P.T Act filed by the defendant on 12.10.18 is allowed.

Defendant is hereby permitted to 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, in terms of his prayer, if any.

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 as per law.

Fix **19.03.2019** for hearing of petition U/s. 7(2) of the W.B.P.T Act, w/o if any in the meantime.

Chief Judge