

EJECTMENT SUIT NO. 157 OF 2017
C. N. R. NO. WBPS01-000387-2017
Before Sri Sridhar Chandra Su, Ld. Judge, 5th Bench.

ORDER NO. 33 DATED 03.03.2022

Today is fixed for hearing of the petition under Sec.7(2) of the W.B.P.T. Act.

Both parties have filed their respective haziras.

Defendant has also filed court deposit challans by firisti. Copy served. Let these be kept with the record.

Plaintiff has also filed fresh Vokatnama. Let it be kept with the record.

Ld. Advocates for both sides are present.

The record is taken up for hearing of the petition under Sec.7(2) of the W. B. P. T. Act.

Heard ld. Advocates for both sides.

Perused the petition and the materials available on record.

On careful perusal of the record, it appears that in the plaint, the rate of rent is Rs.680/- including corporation tax and the defendant is a defaulter in payment of rent since after November 2011. It also appears from the record that the defendant has claimed that the rate of rent is Rs.450/- p.m. and the court deposit challans also show that the defendant deposited rent @ Rs.450/- p.m.

It further appears from the applications under Sec.7(1) and Sec.7(2) of the W. B. P. T. Act that the defendant has been depositing rent since September 2018 and he tendered rent through money order since December 2011. But there is no scrap of document regarding the said fact. Defendant is also silent about basis of determining the rate of rent.

Accordingly, defendant is directed to file all the documents showing rate of rent, tendering of rent, deposit of rent and statement of accounts positively on the next date.

Fix 29.03.2022 for filing documents, statement of accounts and further hearing of petition under Sec.7(2) of the W. B. P. T. Act.

Dictated and corrected by me,

JUDGE

JUDGE
[5TH BENCH]
J.O. Code No. WB-00-620.