

Ejectment suit 230 of 2022
(CNR No. WBPS01-000389-2022)

Before Sri. Uttam Kumar Shaw, Ld. Chief Judge.

03
10-08-2022.

Today is fixed for S/R, A/D and Appearance.

Plaintiff files hazira along with postal track report and postal registration receipt by firisty.

Today defendant appeared in this suit through Ld. Advocate by filing vakalatnama along with petitions u/s 7(1) & 7(2) of W.B.P.T. Act and another petition praying for time for filing written statement, on the grounds stated therein. Copies served.

On call Ld. Advocate for the defendant is found present.

On repeated calls none appeared on behalf of the plaintiff.

The petitions u/s 7(1) of W.B.P.T. Act filed by the defendant is taken up for hearing.

Heard Ld. Advocate for the defendant. Perused the petitions and materials on record. Considered.

By the instant petition, defendant has prayed for permission to deposit the admitted arrear of rent as well as current rent as per law on the grounds stated therein.

The petition is within time and also formal in nature. Unless the same is 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 petitions u/s 7(1) of W.B.P.T. Act filed by the defendant is allowed.

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., if any within 30 days from the date of this order.

Ejectment suit 230 of 2022

03(Contd...)

10-08-2022.

Defendant is further at liberty to pay / deposit the current rent month by month by 15th of each succeeding month at his own risk without prejudice to the right and contentions of the parties in accordance with law.

Perused the time petition filed by the defendant.

Prayer for time is considered and allowed.

Fix 14-11-2022 for hearing of petition u/s 7(2) of W.B.P.T. Act, w/o if any in the meantime and filing written statement filed by the defendant.

Dictated & Corrected
by me

Chief Judge

Chief Judge
J.O. Code WB 00372