

**EJECTMENT SUIT NO. :- 271 OF 2023**  
**(CNR No. WBPS01-000567-2023)**  
**(JO CODE No. WB01165)**

**Before Smt. P. Shukla, Ld. Judge, 2nd Bench.**

Order no. - 10  
Dt. 05.11.2024

Today is fixed for hearing petition under Section 7(3) of W.B.P.T. Act filed by the plaintiff dated 11.06.2024.

Both parties file hazira.

Ld. Advocate for the defendant prays for time who file W.O. against the petition under Section 7(3) of W.B.P.T. Act.

Ld. Advocate for the plaintiff raised strong objection.

Heard. Considered.

The court is of the view that the provision laid down in Section 7(3) of W.B.P.T. Act is mandatory in nature.

If the defendant fails to comply the provision under Section 7(1) and 7(2) within the time specified therein, then his defense to be struck out and shall proceed with the hearing of the suit.

On perusal of the record, it appears that till date defendant has not filed any application under Section 7(1) and 7(2) of W.B.P.T. Act and thus the defense of the defendant is struck out as the prescribed time period is also over.

Therefore, the petition under Section 7(3) of W.B.P.T. Act is allowed on contest.

To 18.01.2025 for framing of issue.

D/C by me:

Sd/-

Judge, Bench – II,  
Presidency Small Cause Court,  
Calcutta.

Sd/-

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