

Ejectment Suit 328 of 2025.
(CNR No. WBPS01-000628 -2025)

Before Smt Chandrani Mukherjee Banerjee Ld. Chief Judge.

03.

05/12/2025.

Record is put up today on the strength of a put up application filed by the defendant of the suit, who appeared today by filing vakalatnama as well as two other applications , one u/s 7(1) and another u/s 7(2) of W.B.P T Act on the ground stated therein.

Copies of the applications served upon the plaintiff.

Ld. Advocate for the defendant submitted that the application u/s 7(1) of W.B.P T Act filed by the defendant may be considered and the defendant may be permitted to deposit admitted arrears of rent with interest as well as current rent month by month in Court .

Heard Ld. Advocate for the defendant.

Perused the petition as well as materials on record.

Record reveals that as per bailiff report , summons have been received by the defendant personally on 20-11-1025 and the one postal envelope with A/D card returned with postal endorsement dated 15-11-2025 as “refused”

Be that as it may, prima facies it appears that the application u/s 7(1) of W.B.P T Act has been filed within time

and unless the same allowed, defendant shall suffer irreparable loss and injury.

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

Accordingly,

it is,

Ordered

that the application U/s. 7(1) of W.B.P.T Act filed by the defendant dt 05/12/2025 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, in

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Court within the time frame as prescribed under the law at his own risk without prejudice to the rights and contentions of the parties.

He is further at liberty to pay / deposit current rent month by month by 15th of each succeeding month at his own risk without prejudice to the right and contention of the parties commencing from the month of November 2025 within the time frame as prescribed under the law.

To date (04/02/2026) For hearing of the application u/s 7(2) of W.B.P T Act dt 05/12/2025, w/o if any in the mean time .

Defendant is also directed to file Written Statement within the prescribed period of limitation.

Dictated & Corrected

by me:-

Chief Judge.

J.O. Code WB 01130

