

**EJECTMENT SUIT NO. :- 355 OF 2008**  
**(CNR No. WBPS01-000635-2008)**  
**(JO CODE No. WB01165)**  
**Before Smt. P. Shukla, Ld. Judge, 2nd Bench.**

Order no. - 101

Dt. 17.01.2025

Today is fixed for order of repairing petition and hearing of petition under Section 7(2) of W.B.P.T. Act.

Both sides filed hazira.

Both parties submitted and it also transpired on perusal of the record that the petition under Section 7(2) of W.B.P.T. Act is already disposed off.

The record is taken up for passing order under Section 151 of CPC dated 09.09.2024.

Heard the Ld. Advocate for the defendant who submitted that back portion of the suit premises and the wall of the suit premises and ceiling are in poor condition and repairing work is required.

The defendant prays for permission to do repairing work on the grounds as stated in this petition at his own cost without changing the nature and character of the suit premises.

On the other hand, plaintiff raised strong objection.

It is submitted by plaintiff that defendant is not a tenant in respect of the back portion of the premises so, he has no right to make repair in that portion.

There is no such necessary of repair work.

Heard. Considered.

Perused the entire documents available on the case record.

It appears that the defendants are tenants in respect of one shop room.

The defendant's interest to repair the back portion of the suit premises and surrounding wall of the suit premises does not seem reasonable to this court.

The court is not inclined to allow this petition at this stage.

It is pertinent to mention here that the record is more than 15 years old and as per "Action plan" guidelines issued by Hon'ble Apex Court, the suit is to be disposed off with speedy trial.

To 25.02.2025 for P.H. of the suit positively and considering the age of the case record, no further adjournment should be allowed to both parties.

Sd/-

Judge-in-charge, Bench - II,  
P.S.C. Court, Calcutta.