

Ejectment suit 379 of 2022
(CNR No. WBPS01-000663-2022)

Before Shri. Ashutosh Kumar Singh, Ld. Chief Judge

12.

24-06-2024.

Today is fixed for hearing of petitions u/s 7(1) & 7(2) of W.B.P.T. Act, w/o if any in the meantime and consideration of acceptance of written statement filed by the defendant on 03-03-2023.

Plaintiff files hazira.

Defendant files a petition praying for time for hearing of petition u/s 7(2) of W.B.P.T. Act, on the grounds stated therein. Copy served.

On call Ld. Advocates for the parties are found present.

The petition u/s 7(1) of W.B.P.T. Act is taken up for hearing.

Heard Ld. Advocates for both parties. Perused the petition u/s 7(1) of W.B.P.T. Act and materials on record.

By the instant petition, defendant has prayed for permission to deposit the current rent from the month of January, 2023 in terms of there prayer mentioned in the said petition as per law on the grounds stated therein.

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

Defendant is at liberty to pay / deposit the current rent commencing from January, 2023 and there after 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 written statement and materials on record it appears that the written statement filed by the defendant on 03-03-2023 is within the prescribed period of limitation.

Hence the written statement filed by the defendant on 03-03-2023 is accepted.

Prayer for time for hearing of petition u/s 7(2) of W.B.P.T. Act is considered and allowed.

Let the suit be transfer to **Ld 2nd Bench P.S.C. Court, Calcutta**. Parties are directed to appear before the transferee court on **05-09-2024**.

Dictated & Corrected
by me

Chief Judge

Chief Judge

J.O. Code WB 01244