

**EJECTMENT SUIT NO. :- 330 OF 2024**  
**(CNR No. WBPS01-000669-2024)**  
**(JO CODE No. WB01165)**  
**Before Smt. P. Shukla, Ld. Judge, 2nd Bench.**

Order no. - 10  
Dt. 18.08.2025

Today is fixed for order.

Both parties filed hazira.

Heard the Ld. Advocate for defendant who prays to restore the both applications under Section 7(1) and 7(2) of W.B.P.T. Act, 1997 and to recall the order passed on 10.04.2025 by fixing up the date for hearing of the case.

Defendant filed adjournment petition copy dated 10.04.2024 and Xerox copy of prescription.

Plaintiff raised strong objection.

Heard. Considered.

Perused the entire document available on the case record.

It appears that by order no. 5 dated 10.04.2025 Ld. Chief Judge, Presidency Small Cause Court rejected the petition under Section 7(1) and 7(2) of W.B.P.T. Act due to the Lacka daisi Cal attitude of defendant and also fixed the suit for exparte hearing as fill then no W.S. was filed by defendant.

Thereafter, suit was transferred to this Court for further trial and disposal.

On 30.04.2025 defendant filed instant petition and on 14.05.2025 filed the W.S. which is kept with the record.

The suit is still at the exparte hearing stage and in the instant petition defendant has not prayed for vacating the order of exparte hearing and without vacating the same, it would not be just and proper to restore the petitions under Section 7(1) and 7(2) of W.B.P.T. Act.

Thus, the court is not inclined to allow the instant petition.

To 17.11.2025 for hearing of petition dated 14.05.2025 filed by defendant for acceptance of W.S.

D/C by me.

Sd/-

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

Sd/-

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