

Ejectment Suit 215 of 2018
Before Sri S. Mitra, Ld. Chief Judge

11

24.06.2019

Today is fixed for hearing of petition u/s 7(1) and 7(2) of WBPT, w/o if any, in the mean time.

Plaintiff files hazira.

Today defendant files hazira and a photo copy of rent receipt.

Today the petition u/s 7(1) of WBPT Act filed by the defendant dt. 06.02.2019 is taken up for consideration.

Heard Ld. Advocate for the defendant. Ld. Advocate for the plaintiff raised objection as to the rate of rent.

Perused the petition and materials on record.

Considered.

By the instant petition, defendant has prayed for permission to deposit the admitted arrear of rent as well as current rent as per law on the grounds stated therein.

The petition is within time and also formal in nature. Unless the same is 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 WBPT Act filed by the defendant dt. 06.02.2019 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., if any.

Defendant is further at liberty to pay / deposit current rent up to date month by month by 15th of each succeeding month at his own risk without prejudice to the right and contentions of the parties if, the same is in accordance with law.

All the disputes raised by the plaintiff shall be taken into consideration at the time of hearing of petition u/s 7(2) of WBPT Act.

Fix 18-09-2019 for hearing of petition u/s 7(2) of WBPT Act, w/o if any, in the mean time.

D/C by me

Chief Judge

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