

Ej 222 of 2018 .

Before Sri A. Kar-Ld Chief Judge.

04.

30-08-18.

Today is fixed for hearing of petitions u/s 7(1) & u/s 7(2) of W.B.P.T Act filed by the defendant, w/o if any in the meantime and filing of w/s by the defendant.

Today plaintiff files a petition praying for time for filing w/o against the petition u/s 7(2) of W.B.P.T Act, on the ground stated therein.

Defendant files hazira. Defendant also files a petition praying for time for filing w/s, on the ground stated therein.

Record reveals that defendant has appeared in the suit on 17.08.18.along with petition u/s 7 (1) & 7(2) of W.B.P.T Act.

On call both parties are found present. Now the petition u/s 7(1) of W.B.P.T act is taken up for hearing .

Ld. advocates for defendant moves the petition u/s 7 (1) of W.B.P.T Act. Heard Ld advocate for both sides. Perused the petition, plaint and other materials on record. Considered.

By the instant application, defendant has prayed for permission to deposit the current rent as per law on the ground stated therein.

The petition is within time and also formal in nature .Unless the same 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 application U/s. 7(1) of W.B.P.T Act filed by the defendant on 17.08.18 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 within 90 days from the date of this order.

He 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 if the same is in accordance with law.

Prayer for time for filing w/s is considered and allowed. Plaintiff is also given time for filing w/o against the petition u/s 7(2) of W.B.P.T Act filed by the defendant.

Fix.27.09.18 for hearing of petition U/s. 7(2) of the W. B. P. T Act, W/O, if any, in the meantime and filing of w/s by the defendant.

Cj.

Chief Judge.

