

Ej. Suit No. 178 of 2024
CNR No. WBPS01-000352-2024

Order No.09
05.05.2025

Today is fixed for framing of issues.

Both parties filed hazira through their Ld. Advovacates.

Plaintiff files an application under order 39, Rule-7 read with Section 151 of Code of Civil Procedure. Copy not served upon the other side. Let it be kept with the record for part and parcel of the record.

Hd. submissions made by Ld. Advocates for both sides and perused the materials on record including the plaint, written statement.

Issues are framed in a separate sheet of paper which does form part of the record.

Fix **16.06.2025** for hearing of the petition under order-39, Rule-7 read with Section 151 of CPC, written objection, if any, in the meantime.

Dictated and corrected by me:

Judge

Smt. Gladys Bomjan
(J.O. Code: 01039)
Judge, 3rd Bench
Presidency Small Cause Court,
Calcutta

Date :: 05th May, 2025

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I S S U E S

01. Whether the suit is maintainable in its present form and prayer?
02. Whether the plaintiffs have any cause of action to institute the suit?
03. Whether there exists landlord-tenant relationship between the parties?
04. Is the defendant is defaulter in payment of rent since November, 2022?
05. Whether the plaintiffs reasonably requires the suit premises for the use and accommodation of themselves and their family members?
06. Whether the plaintiffs have any suitable alternative accommodation?
07. Whether the defendant guilty of creating nuisance and annoyance to the plaintiffs?
08. Whether the eviction notice dated 15.01.2024 sent by the plaintiffs through their Ld. Advocate to the defendant, legal valid and sufficient? If so, whether the said notice had been duly served upon the defendant?
09. Whether the plaintiff entitled to get the decree as prayed for?
10. To what other relief or reliefs, if any, the plaintiff is entitled?

Dictated and corrected by me:

Judge

Smt. Gladys Bomjan
(J.O. Code: 01039)
Judge, 3rd Bench
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