

Ejectment Suit 415 of 2025.
(CNR No. WBPS01-000781-2025.

Before Smt Chandrani Mukherjee Banerjee Ld. Chief Judge.

07.

26/02/2026.

Record is put up today on the strength of a put up petition filed by defendants who appeared in this suit on 17/02/2026 through their Ld. Advocate by filing vakalatnama and a put up petition.

Today defendants also files two separate applications, one u/s 7(1) of W.B.P T Act and another u/s 7(2) of W.B.P T Act on the ground stated therein. Copies of all the applications have been served upon the plaintiff .

Ld. Advocate appearing for the defendants moved the application u/s 7(1) of W.B.P T Act and submitted that the defendants may be permitted to deposit the admitted arrears of rent with applicable interest as well the current rent in respect of the suit premises in Court at their own risk as per provisions of Section 7(1) of W.B.P T Act. He prayed for allowing the application.

Heard Ld. Advocate for the defendant.

Perused the petition as well as materials on record.

Considered.

Record reveals that as per bailiff report dated 09/02/2026, summons have been received personally by defendant no-1 for himself and for defendant no-2 by his wife. The defendants have entered appearance in the suit on 17/02/2026 by way of a put up application.

Record reveals that the matter has been fixed on 05-03-2026 for filing W/S by the defendants, in default , necessary order. . In the mean time , today the defendants have filed the application u/s 7(1) of W.B.P T Act. So, prima facies it appears that the petition is within time.

So , considering such attending facts and circumstances, this Court finds that at this stage, the petition u/s 7(1) of W.B.P T Act may be at the risk of the defendants, otherwise the defendants shall be prejudiced.

Accordingly,

it is,

Ordered

that the application U/s. 7(1) of W.B.P.T Act filed by the defendants this day stands allowed .

Defendants are 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

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previous to that in which the payment is made together with interest @ 10% p.a, within the time frame as prescribed under the law at their own risk.

They are further at liberty to pay / deposit current rent month by month by 15th of each succeeding month at their own risk without prejudice to the right and contention of the parties.

However, it is made clear that the legality/ validity of deposit made by the defendants may be put to test and questioned and adjudicated in course of proceedings u/s 7(2) / 7(3) of W.B.P T Act at a subsequent stage and in the event of subsequent findings of any non compliance/ violation on the part of the defendants/ tenants of the provision section 7(1) of W.B.P T Act, legal consequences will follow as the law shall take its own course.

To-date (**05/03/2026**) for hearing of petition u/s 7(2) of W.B.P T Act filed by the defendants dated 26/02/20266 , w/o if any in the mean time with further direction upon the defendants to file Written Statement within the prescribed period of Limitation under the Law.

Chief Judge.

J.O. Code WB 01130.