

Ejectment suit 287 of 2018
Before :- Sri. A. Kar- Ld Chief Judge.

04.

26.11.18

Today is fixed for S/R, A/D and appearance.

Plaintiff files hazira.

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

Record reveals that defendant has appeared in the suit with a put up application on 12.11.18.along with petition u/s 7 (1) & 7(2) of W.B.P.T Act.

On call both parties are found present. The case is taken up for hearing. Ld. advocates for defendant moves the petition u/s 7 (1) of W.B.P.T Act. Accordingly, the petition of the u/s 7(1) of W.B.P.T. Act filed by the defendant on 12.11.18 is taken up for consideration. 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 well as admitted arrears of 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 this on 12.11.18 allowed on consent.

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.

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.

Fix 07-01-19 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.

