

Ej. 600/2016

order no.29 Dated.06.01.2022

Parties filed Hazira.

The defendant's petition Dated 29/11/2021 is taken up for passing order.

Heard both sides. it is contended by the defendant that due to illness the defendant could not deposit the monthly rent from the month of March,2021 and prayed to grant permission to deposit the arrears of rent along with current monthly rent.

The plaintiff filed written objection stating inter alia that the default made by the defendant is successive default and not protected U/S 7 WBPT Act.

And the defendant can not be permitted to deposit the successive defaulted amount.

Due to successive default of the defendant in depositing the monthly rent, if any right has been accrued by the plaintiff that will remain unchanged and the defendant can be permitted to deposit the rent at his own risk without prejudice to the right of the plaintiff.

Accordingly the defendant is hereby permitted to deposit the arrears of rent from the month of March 2021 and onward months. To date

D & C by

Judge