

Misc. Case No. 323 of 2015
CNR No. WBPS01-001268-2015

Order No. 269
Dated 18.03.2025

Today is fixed for hearing of the Misc. Case and filing written objection by the opposite party.

The petitioner has filed a petition praying for adjournment on the grounds stated in the petition.

The petition has been seen by the Ld. Advocate for the O.P.

O.P. has filed a hazira.

None appeared on behalf of O.P. on call.

Prayer for adjournment is considered and allowed.

It appears that till this day the O.P. has not filed his written objection against the application of the petitioner under Order-21, Rule-97, 101 and u/s 151 of the CPC.

In view of the above, OP is directed to file the written objection positively on the next date or else the hearing of the Misc. Case shall proceed.

Fixing **08.05.2025** for hearing of the Misc. Case, 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 :: 06th March, 2025

Ej. Suit No. 144 of 2018
CNR No. WBPS01-000423-2018

ISSUES

01. Whether the suit maintainable in its present form and prayer?
02. Whether the plaintiffs any cause of action to institute the suit?
03. Whether there exists landlord-tenant relationship between the parties?
04. Whether the defendant is defaulter in payment of rent March, 2013?
05. Whether the defendant guilty of violating addition and alteration of the suit property without consent of the plaintiffs?
06. Whether the defendant committed acts contrary to provisions of clauses (m), (o) & (p) of Section 108 of Transfer of Property Act?
07. Whether the defendant guilty of creating nuisance and annoyance to the plaintiffs?
08. Whether the plaintiffs reasonably require the suit premises for the use and accommodation of himself and their family members?
09. Whether the plaintiffs have any suitable alternative accommodation?
10. Whether the eviction notice dated 09.11.2017 by the plaintiffs through his Ld. Advocate to the defendant, legal valid and sufficient? If so, whether the said notice had been duly served upon the defendant?
11. Whether the plaintiffs entitled to get the decree as prayed for ?
12. To what other relief or reliefs, if any, the plaintiffs are entitled?

Dictated and corrected by me:

Judge

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