

**Ej Suit 346 of 2006**  
**WBPS01-001824-2006**

**Before: Sri Sangram Saha @ Gautam Saha, Ld. Judge**  
**3<sup>rd</sup> Bench**

**Order no. 101**

**Date: 02-09-2022**

Today is fixed for hearing of the petition u/s 7 (2) of WBPT Act and awaiting record of Ejectment suit 377 of 2003.

Both sides file haziras.

On perusal of the record it appears that, record of Ejectment suit being no 377 of 2003 has come and the same is tagged with the record of Ejectment suit 346 of 2006.

Now, the petition u/s 7 (2) of WBPT Act filed by the defendant dt. 12.07.2007 is taken up for consideration.

Ld. Advocate for the defendant prays for perusal of the record of Ejectment suit 377 of 2003 and prayer is granted.

On perusal of the record of Ejectment suit 377 of 2003 and the challans that kept in a cover file, Ld. Advocate for the defendant submits that, the record of Ejectment suit 377 of 2003 does not match with the record that was being called for and names of the parties are also mismatch.

Ld. Advocate for the plaintiff submits that, necessary order may be passed for disposal of the petition u/s 7 (2) of WBPT Act filed by the defendant as the same is pending since long.

Considering the circumstances, this Court is of the view that, it is the liability of the defendant to produce challans before Court. As such, defendant is directed to file challans before Court after obtaining the same from the concerned record.

Office is directed to untagg the record of Ejectment suit 377 of 2003 from the record of Ejectment suit 346 of 2006 and return the same to the concerned department.

For ends of justice case is adjourned this day.

Fix 21-11-2022 for hearing of the petition u/s 7 (2) of WBPT Act filed by the defendant and filing challans by the defendant.

**Sangram Saha**  
(J.O. Code: WB1037)  
Judge,  
Presidency Small Cause Court,  
3<sup>rd</sup> Bench,  
Calcutta