

12.10.2023
Item No.3
gd/ssd

CO/3160/2023
M/S ANANT LAL BAIJNATH
VS
ROY GEORGE MANTOSH & ANR.

Mr. Aniruddha chatterjee,
Mr. Abir Lal Chakraborty,
Ms. Ayantika Saha
..for the Petitioner.

Mr. Chatterjee, learned Advocate appearing for the petitioner submits that the application under Section 7(2) of the West Bengal Premises Tenancy Act, 1997 was dismissed upon holding that the same is not maintainable on the ground that the defendant has not deposited the admitted amount of rent in full. Mr. Chatterjee submits that the petitioner has raised a dispute as to the landlord and tenant in the application under Section 7(2) of the said Act and, therefore, there is no question of depositing any admitted rent in the instant case.

The petitioner has raised an arguable point in this application.

The petitioner is directed to serve a copy of this application upon the opposite parties by registered/speed post with acknowledgement due and to file an affidavit of service on the next date.

List this matter before the regular Bench in the Monthly List of December, 2023 under heading “Contested Application”.

There shall be an order of stay of all further proceedings of Title Suit No.20 of 2015 and Title Suit No.20A of 2015 both pending before the learned Civil Judge (Senior Division), Small Causes Court at Sealdah till the end of January, 2024 or until further order whichever is earlier.

(HIRANMAY BHATTACHARYYA, J.)