

Item No. 09

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IN THE HIGH COURT AT CALCUTTA
CIVIL REVISIONAL JURISDICTION
APPELLATE SIDE

C.O. 3882 of 2023

**Gobordhan Prasad
Vs
Ganesh Sani**

Mr. Shymal Sanyal,
Mr. Gouranga Manna.

.... For the petitioner.

1. This revisional application has been preferred assailing the order dated 26th July, 2023 passed by the learned Civil Judge (Junior Division), 1st Court, Howrah in connection with Title Suit No. 1642 of 2022, wherein learned Judge refused the prayer of the applications under Section 7(1) and 7(2) of the West Bengal Premises Tenancy Act.
2. Learned counsel appearing on behalf of the petitioner has submitted that learned Judge refused the prayer of the application on the ground of delay in filing the application on receipt of summons, though petitioner/defendant did not receive any summons rather entered appearance receiving an information.
3. Having heard the learned counsel appearing on behalf of the petitioner as well as having gone thorough the order impugned, the revisional

application stands admitted.

4. Petitioner is directed to serve notice upon the opposite party through speed post with A/D and to file affidavit of service on the returnable date.
5. Learned counsel appearing on behalf of the petitioner has prayed for stay of the proceeding in connection with Title Suit No. 1642 of 2022.
6. In the aforesaid facts and circumstances, let there be an order of stay of proceeding in connection with Title Suit No. 1642 of 2022 for a limited period of time, i.e. till last week of December, 2024, or until further order whichever is earlier.
7. Let the matter appear in the Combined Monthly List of December, 2024 under the heading "Contested Application".
8. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Bibhas Ranjan De, J.)