

CS/131/2024
IN THE HIGH COURT AT CALCUTTA
ORDINARY ORIGINAL CIVIL JURISDICTION
ORIGINAL SIDE

PLACID LIMITED
VERSUS
NITI SHIKSHA PRODAYNI SABHA AND SUHRIT LIBRARY AND ANR.

BEFORE:
The Hon'ble JUSTICE ARINDAM MUKHERJEE
Date: 24th October, 2025.

Appearance:
Mr. Rohit Banerjee, Adv.
Mr. Suman Majumder, Adv.
For the plaintiff.

Mr. Shyamal Chakraborty, Adv.
Mr. Debajyoti Mandal, Adv.
Mr. Palash Goswami, Adv.
Ms. Manju Jaiswal, Adv.
For the defendants

The Court :-The parties have submitted their respective suggested issues. After considering such suggested issues and the pleadings, the following issues are framed:-

I S S U E S

1. Does this Court have the territorial and pecuniary jurisdiction to receive try and determine the suit?
2. Is the suit governed by the provisions of West Bengal Premises Tenancy Act, 1997 as alleged by the defendants?
3. Are the defendants trespassers as alleged by the plaintiff?

4. Was the tenancy taken by Dinanath Mullik for use and occupation of the defendants' library?
5. Are the defendants unauthorized occupants of the suit property?
6. Is the suit barred by the provisions of limitation on Dinanath Mullik having expired in the year 1980 as alleged in paragraph 11 of the written statement?
7. Has the plaintiff waived and/or acquiesced after having allowed the defendants to continue in occupation of the suit premises after the death of Dinanath Mullik?
8. Is the suit maintainable as framed?
9. Is the plaintiff entitled to a decree as claimed?

The parties shall approach the Department for placing the suit in the warning list and then in the peremptory list before the appropriate Bench after ascertaining that the same is ready for witness action.

The suit is directed to go out of the list for the time being.

(ARINDAM MUKHERJEE, J.)