

Party Name : JUTE CORPN. OF INDIA LTD & ANR Vs SANTOSH KR. CHORARIA & ANR

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THE HONBLE MR. JUSTICE S.TALAPATRA

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Heard Mr. T.D. Majumder, learned counsel appearing for the petitioners as well as Mr. Ramendra Chakraborty, learned counsel for the respondents.

The grievance of the petitioners is that in terms of the judgment and order dated 02.04.2015 delivered in CRP No.108 of 2012 (disposed of) they sent a cheque dated 02.07.2015 to the landlords, the respondents in CRP No.108 of 2012 (disposed of) by registered post.

It appears that an amount of Rs.1,91,973/- (Rupees One lac Ninety One thousand Nine hundred Seventy Three) was sought to be paid by a cheque bearing No.254962 dated 02.07.2015 but no copy of the said cheque is enclosed with this petition. But from the report of the Postal Authority, it appears that the said respondents refused to accept the said registered letter as sent by the petitioners herein.

Mr. Chakraborty, learned counsel appearing for the respondents has submitted that the amount as mentioned in the petition is not the actual arrear amount. But refusal was not made on that ground. He has further submitted that the respondents could not understand that the said registered letter contained the said cheque. Such submission of Mr. Chakraborty, learned counsel is totally unacceptable.

Mr. T.D. Majumder, learned G.A. appearing for the petitioners has submitted that in such circumstances, they may be allowed to deposit the arrear rent in terms of the judgment and order dated 02.04.2015 delivered in CRP No.108 of 2012 (disposed of) in this Registry. This Court does not find any difficulty in accepting the prayer of Mr. Majumder, learned counsel.

Accordingly, the petitioners are directed to deposit the arrear rent within 10(ten) days from today in the Registry in terms of the judgment and order dated 02.04.2015 delivered in CRP No.108 of 2012 (disposed of). It is made clear that if the said amount is not deposited within the stipulated time, the necessary consequence shall follow as the petitioners were directed to deposit the arrear rent within 3(three) months from 02.04.2015.

Such lease by way of extension has been granted for the conduct solely attributable to the respondents. So far the correctness of the arrear amount, the respondents shall be at liberty to raise any objection by resorting to an appropriate action.

With this observation and direction, this interlocutory application is allowed to the extent as indicated above.

Accordingly, the interlocutory application stands disposed of.

Copy of this order be furnished to the learned counsel for the parties.