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SK
Ct. No. 18
07.01.2021

**C.O. No. 18 of 2021
(Via Video Conference)**

**Shree Shree Iswar Satyanarayanjee & Ors.
Vs.
Chandeshwar Singh**

Mr. Animesh Paul,
Ms. Fatima Hassan,
Mr. Shalomi Basu ... For the petitioners.

The order proposed to be passed in the present application under Article 227 of the Constitution of India would not cause any prejudice to the opposite party, as such service of notice of the present application upon the opposite party is dispensed with.

The petitioners are the plaintiffs of Title Suit No. 308 of 2004, which is pending before the 3rd Court of learned Civil Judge, (Junior Division) at Howrah.

The petitioners are seeking eviction of the opposite party, *inter alia*, on the grounds of subletting and default in payment of rent.

The opposite party entered appearance and filed an application under Section 7 (2) of the West Bengal Premises Tenancy Act, 1997 (hereinafter referred to as the 'said Act' in short) in the said suit way back on September 16, 2005.

The grievance of the plaintiffs/petitioners is that due to the dilatory tactics adopted by the opposite party the said application could not reach to its logical conclusion till date.

An application under Section 7 (2) of the said Act is required to be disposed of expeditiously not exceeding one year from the date of filing of the said application, that is the mandate of the said provision of the said Act.

The learned trial Judge is under obligation to exercise required leverage in achieving the said mandate which is seriously lacking in the present case.

The learned trial Judge is therefore requested to dispose of the said application expeditiously, preferably within a period of four weeks from the date of communication of this order and to adhere to the said time limit the learned trial Judge shall not entertain prayer of the parties for any unnecessary adjournment.

It is made clear that the time limit fixed by this order for disposal of the said application is mandatory and peremptory.

It is desired that the learned trial Judge considering the nature of the suit shall make all endeavour to dispose of the connected suit expeditiously.

C.O. 18 of 2021 is disposed of with the above terms.

No order as to costs.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Biswajit Basu, J.)