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SK
Ct. No. 18
26.03.2021

**C.O. No. 80 of 2021
(Via Video Conference)**

**Sri P. S. Shankaran
Vs.
Sri Kamal Ranjan Das & Ors.**

Mr. Sarvopriya Mukherjee,
Ms. Sohini Bhattacharyathe ... For the petitioner.

The defendant in a suit for ejectment is the petitioner of the present application under Article 227 of the Constitution of India.

The learned trial Judge by the Order No. 91 dated November 27, 2018 condoned the delay of six years in filing the applications under Sections 7 (1) and 7 (2) of the West Bengal Premises Tenancy Act, 1997 by the petitioner subject to payment of costs of Rs. 5,000/- within two months from the date of the said order.

The petitioner neither paid the said costs nor answered the show cause as directed by the Order No. 92 dated February 8, 2019, under such circumstances, the learned trial Judge by the Order No. 93 dated February 15, 2019 disposed of the applications of the petitioner under Sections 7 (1) and 7 (2) of the said Act and fixed ex parte hearing of the said suit.

The petitioner by the application dated November 26, 2019 sought recall of the said Order No. 93 dated February 15, 2019, which has been dismissed by the

learned trial Judge by the order impugned being Order No. 102 dated January 27, 2020.

In view of the conduct of the petitioner, the learned trial Judge is absolutely justified in refusing the prayer of the petitioner.

C.O. 80 of 2021 is dismissed.

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.)