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SK
Ct. No. 18
10.02.2021

**C.O. No. 300 of 2021
(Via Video Conference)**

**Sri Arunangshu De
Vs.
Sri Kishan Kumar Bajaj**

Mr. Arijit Dey

... For the petitioner.

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 petitioner is the plaintiff of Ejectment Suit No. 111 of 2014. The opposite party entered appearance and on January 20, 2015 filed an application in the suit under Section 7 (2) of the West Bengal Premises Tenancy Act, 1997 (hereinafter referred to as the 'said Act' in short).

The grievance of the petitioner is that the said application is still pending as the defendant is seeking adjournment on each and every day fixed for hearing of the said application.

Mr. Arijit Dey, learned advocate appearing on behalf of the petitioner informs this Court that the recording of evidence of P.W. 1 in respect of the said application is going on.

An application under Section 7 (2) of the said Act is required to be disposed of as soon as possible but not later than one year from the date of its filing, this is the mandate of the said provision of the said Act of 1997. The said application is therefore required to be disposed of immediately without any further delay.

The 2nd Court of learned Civil Judge, (Junior Division), at Sealdah, where the said suit now pending is therefore requested to dispose of the said application within a period of four weeks from the date already fixed for the hearing of the said application.

The learned trial Judge to adhere to the time limit fixed by this order for disposal of the said application shall not entertain prayer of the parties for any unnecessary adjournment.

C.O. 300 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.)