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**IN THE HIGH COURT AT CALCUTTA
CIVIL REVISIONAL JURISDICTION**

(Via Video Conference)

CO 849 of 2021

**Sri Onkar Nath Banerjee
-versus-
Sri Aishik Sengupta**

Mr. Debdutta Basu,
Ms. Pampa Dey (Dhabal),
... for the petitioner.

Mr. Krishnendu Bhattacharya, ... for the opposite party.

The defendant in a suit for eviction of licensee being Title Suit No. 1337 of 2018 pending before the 1st Court of learned Civil Judge (Senior Division), Alipore, District : 24 Parganas (South) is the petitioner of the present revisional application under Article 227 of the Constitution of India.

The learned Trial Judge by the order impugned being order dated February 23, 2021 has refused to accept the written statement filed by the defendant beyond the prescribed period of limitation.

Mr. Debdutta Basu, learned advocate for the petitioner claims that the filing of the written statement was delayed by 20 days whereas Mr. Krishnendu Bhattacharya, learned advocate for the opposite party, says that said delay is of more than 50 days.

Mr. Bhattacharya, however, submits that to avoid unnecessary delay in disposal of the suit, the written statement may be accepted but subject to payment of costs.

In view of such stand being taken by the plaintiff the order impugned is set aside, the written statement filed by the defendant is accepted subject to **payment of costs of Rs. 10,000/-**, such costs be paid to the opposite party within two weeks from date.

The learned Trial Judge is requested to expedite the disposal of the suit without granting any unnecessary adjournment to either of the parties.

CO 849 of 2021 is thus disposed of.

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

(Biswajit Basu, J.)