

(69)
26.11.2021
(p.jana)

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

(Via Video Conference)

CO No. 1604 of 2021

Sri Ajay Kumar Thakkar

-versus-

Sri Mrigendra Mohun Dhar

Mr. Uttam Kumar Bhattacharya ... for the petitioner.

Mr. Amrita Lal Dhar ... for the opposite party.

The plaintiff in a suit for eviction of licensee is the petitioner of the present application under Article 227 of the Constitution of India.

The said suit being Title Suit No. 153 of 2017 is pending before the learned Civil Judge (Senior Division), Sealdah, District-24 Parganas (South).

The learned Trial Judge by the order impugned has dismissed an application filed by the petitioner praying a direction upon the defendant/opposite party to pay the occupation charges @ Rs. 29,000/- per month.

One of the main reliefs in the suit being a decree for arrear license fees, the petitioner is not entitled to get the relief as prayed for in the said application by way of an interim measure in the suit.

The learned Trial Judge, therefore, has rightly dismissed the said application of the petitioner. The impugned order, for the aforesaid reasons, does not call for any interference.

C.O. 1604 of 2021 is disposed of with the request to the learned Trial Judge to expedite the disposal of the said suit in accordance with law.

There shall be no order as to costs.

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.)