

12. 24.11.2021
Ct. No.22
BR

C.O. 1983 of 2021

**Bijoy Gopal Saha and Ors.
-Versus-
Swapan Kumar Saha and Ors.
(Through Video Conference)**

Mr. Rajarshi Mitra
...for the Petitioners

Learned advocate appearing for the petitioner submits that Ejectment Suit No. 481 of 2016 is pending before the learned Civil Judge (Junior Division), 1st Court, Alipore, and where application under Section 7 (2) of the West Bengal Premises Tenancy Act, 1997 is pending for disposal since August 2016. That due to non-disposal of such application the further proceeding of the eviction suit too could not proceed with. Therefore, he prays necessary direction may be passed upon the learned Court below to conclude the hearing of such application pending for more than five years.

Since the petitioner has prayed for expeditious disposal of application Under Section 7 (2) of the West Bengal Premises Tenancy Act, 1997 there is no possibility of causing any prejudice to the opposite parties.

Further, having regard to the nature of relief claimed, I see no reason to put the opposite parties on notice.

Service of notice on the opposite parties is dispensed with.

Accordingly, C.O. No. 1983 of 2021 is hereby disposed of with a request to the learned Civil Judge (Junior Division), 1st Court, Alipore to hear petition u/s Section 7 (2) of the West Bengal Premises Tenancy Act, 1997 and dispose of the same expeditiously, and in any event, within a period of one month from the date of receipt of this order as the same is pending for last five years. Further, directed to see expeditious disposal of main suit on disposal of the Application u/s Section 7 (2) of the West Bengal Premises Tenancy Act, 1997

There will be no order as to costs.

Urgent Photostat certified copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Kesang Doma Bhutia, J.)