

18.11.2022
Court No.05
Item no.480
B.M.J.R

**RVW 3 of 2021
With
CAN 1 of 2021**

**Amar Pandeya & Ors.
Vs.
Pranab Bose**

In

**CO 1243 of 2020
With
CAN 1 of 2020**

Mr. S.P Chattopadhyay,
Mr. Arjun Samanta for the petitioners

Mr. Aniruddha Chatterjee,
Mr. Arif Ali for the opposite party

Upon hearing learned counsel for the petitioners who seeks recall of an order passed by this Court dated 20.11.2020 in C.O 1243 of 2020 where the applicant was the revisionist, this Court is of the view that for the interest of the parties before this Court, RVW 3 of 2021 and CAN 1 of 2021 should be disposed of with liberty to the applicant to urge the point of law, namely, whether Section 2(g) of the West Bengal Premises Tenancy Act, 1997 can apply to a pending suit filed under the 1956 Act.

The applicant will be at liberty to take this point of law as a defence in an appropriate application filed before the Civil Judge, Junior Division, 2nd Court, Alipore.

The review application and CAN 1 of 2021 are disposed of in terms of this order.

(Moushumi Bhattacharya, J.)