

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

SA 119 of 2022

Sri Ujjal Saha @ Ujjwal Shah

Vs.

Smt. Vidya Bharati Rawat & Ors.

**Mr. Somenath Bose
Mr. Hiron Lal Majumdar
Mr. Arindam Sen
Ms. Madhuja Ritwika
Mr. Ayon shubhra Bandyopadhyay For the Appellant.**

**Mr. Sibasis Ghosh
Mr. Dwarika Nath Mukherjee
Mr. Biswabrata Basu Mallick For the Respondent.**

There is no merit in this intended second appeal.

No question of law, far less any substantial question of law, is involved.

The respondent/landlord has made out two grounds for eviction of the appellant/tenant – reasonable requirement under Section 6(1)(d) of the West Bengal Premises Tenancy Act, 1997 and the existence of a property owned by the appellant/tenant where he can reside after vacating the subject premises, (Section 2(1)(j) of the said Act).

S.D.

Learned counsel for the appellant submitted that the case of reasonable requirement had not been proved and that possession of an alternative

accommodation by the appellant/tenant was not an issue in the suit.

Without going into the technicalities, we observe that it is an admitted position that the appellant/tenant has an alternative accommodation.

We do not admit the appeal.

The appeal (SA 119 of 2022) is dismissed.

However, considering all the circumstances, we grant time to the appellant up to 31st December, 2023 to vacate the premises.

The respondent shall not take any steps and/or suspend execution proceedings during this period. If the appellant does not vacate the premises by 31st December, 2023, execution of the decree may be carried out.

(I.P. Mukerji, J.)

(Subhendu Samanta, J.)

