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Ct. 18
12.07.2022

C.O. No. 1684 of 2022

Deep Chand Hirawat
Vs.
Smt. Kamala Devi Chowdhary & Ors.

Mr. K. C. Garg,
Ms. Sunita Agarwal ... For the petitioner.

Mrs. Krishnakali Swar,
Mrs. Anisha Kochar ... For the opposite parties.

The revisional application under Article 227 of the Constitution of India is at the instance of the tenant/defendant in a suit for ejectment and is directed against the order dated May 13, 2022 passed by the learned Judge, 6th Bench, Presidency Small Causes Court at Calcutta in the said suit being Ejectment Suit No. 109 of 2019.

The learned Trial Judge by the order impugned has dismissed an application filed by the defendant under Section 7 (2) of the West Bengal Premises Tenancy Act, 1997.

In the said application the defendant sought to be raised a dispute with regard to his relationship with the plaintiffs as tenant and landlords.

In the application the defendant has stated that he is a tenant under Kamala Devi Chowdhary and sons. The said Kamala Devi Chowdhary and her three sons are the plaintiffs, the dispute sought to be raised in the said application therefore is apparently sham as such the learned Trial Judge has rightly dismissed the said application.

This Court, therefore, does not find any reason to interfere with the order impugned.

C.O. 1684 of 2022 is dismissed without any order as to costs.

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

(Biswajit Basu, J.)