

(12)
18.04.2022
(p.jana)

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

**CO No. 3764 of 2018
(IA No: CAN 1 of 2018)(Old No: CAN 8858/2018)
(IA No: CAN 2/2019) (Old No: CAN 7396/2019)
(Applications not in file)**

**Smt. Sakuntala Singh & ors.
-versus-
Sri Tarkeswar Singh**

Mr. Partha Pratim Roy,
Mr. Subhasish Banerjee,
... for the petitioners.

Mr. Tanmoy Mukherjee,
Mr. Souvik Das,
Mr. Rudranil Das,
... for the opposite party.

The defendants/tenants in a suit for eviction are the petitioners of the present application under Article 227 of the Constitution of India which is directed against the order dated August 22, 2017 passed by the 3rd Court of learned Civil Judge (Junior Division), Howrah in the said suit being Title Suit No. 16463 of 2014.

The learned Trial Judge by the order impugned has allowed an application filed by the plaintiff/opposite party under Section 7(3) of the West Bengal Premises Tenancy Act, 1997 (hereinafter referred to as the said Act, in short).

The petitioners admittedly has failed to comply with the order passed under Section 7(2) of the said Act.

The learned Trial Judge, therefore, has not committed any error in striking out the defence of the defendants/petitioners against delivery of possession.

The order impugned does not call for any interference.

CO 3764 of 2018 is therefore dismissed without any order as to costs.

The applications being IA No: CAN 1 of 2018(Old No: CAN 8858/2018) and IA No: CAN 2/2019(Old No: CAN 7396/2019) are appearing in the list but not on record.

Mr. Roy files the photocopies of the said applications.

Let the photocopies of the said applications be treated as original.

In view of dismissal of the revisional application, the applications being IA No: CAN 1 of 2018(Old No: CAN 8858/2018) and IA No: CAN 2/2019(Old No: CAN 7396/2019) have become infructuous and the same are dismissed accordingly.

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.)