

October 16, 2023
Sl. No.6
Court No.19
s.biswas

CO 2056 of 2023

Sri Narayan Chandra Ghosh
vs.
Smt. Luna Sil and others

Mr. Raghunath Chakraborty
Mr. Rajdeep Bhattacharya

... for the petitioner

Mr. Satyam Mukherjee
Ms. Sayani Ahemed

... for the opposite parties

Affidavit of service filed by the petitioners is taken on record.

This court does not find any reason to interfere with the order impugned, but only a clarification is required. The learned court disposed of the application filed by the petitioners for framing a preliminary issue with regard to applicability of Section 2(g) of the West Bengal Premises Tenancy Act, 1997 (hereinafter referred to as the said Act), by holding that the preliminary issue had already been framed and the same shall be heard.

Under such circumstances, the learned Civil Judge (Junior Division), 1st Court, Barasat, District North 24 Parganas is directed to decide the preliminary issue with regard to the applicability of Section 2(g) of said Act, which was framed on March 13, 2019, before proceeding further with the suit.

Such issue shall be decided within a month from the next date fixed.

The revisional application is thus disposed of.

All the parties are directed to act on the basis of the server copy of the order.

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

(Shampa Sarkar, J.)