

19.7.2023

ct. 236

sk,sl. 44

C.O. 1642 of 2014

CAN 1 of 2017

In the matter of : Debasish Chakraborty

Mr. Anirban Majumder...for the petitioner.

Mr. Anirban Majumder, learned counsel representing the petitioner submits that the learned trial court committed jurisdictional error by directing the defendant/opposite party to deposit the rent in the name of the court while disposing of the application under Section 7(2) of the West Bengal Premises Tenancy Act along with arrears of rent coupled with statutory interest @ 10%.

I have perused the order impugned, there is no indication that learned trial court directed the defendant/opposite party to deposit the rent including arrears of rent in the name of the court. The order impugned does not suffer from perversity or jurisdictional error.

This revisional application is bereft of merit and is dismissed. However, this order will not stand in the way if it appears that defendant/opposite party is depositing the rent through challan in the name of the court. In such an event learned trial court will be free to decide the validity of such deposit according to law and its consequence as well.

(Siddhartha Roy Chowdhury, J)