

21.03.2023
SL No.2
Court No. 654
Ali

**IN THE HIGH COURT AT CALUTTA
CIVIL REVISIONAL JURISDICTION
APPELLATE SIDE**

C.O. 3654 of 2022

Smt. Rita Das

versus

Sri Pranab Kumar Jana

Mr Krishna Das Poddar
...for the plaintiff-petitioner.

This matter is appearing under the heading
'To Be Mentioned'.

This is an application filed by plaintiff-petitioner under Article 227 of the Constitution of India praying for early disposal of applications 7(1) & 7(2) of West Bengal Premises Tenancy Act 1997 filed by opposite party-defendant in Title Suit No. 116 of 2020 pending before learned Civil Judge (Senior Division), Haldia.

The brief fact of the case is that the plaintiff-petitioner filed a suit for eviction and recovery of possession, arrear rents and damages being Title Suit No. 116 of 2020. In the said suit the opposite party-defendant entered appearance and filed application on 16th January, 2020 under Sections 7(1) and 7(2) of the West Bengal Premises Tenancy Act 1997. Though the application under Section 7(1) of the Act was disposed of by the learned trial court but the application under Section 7(2) of the Act is pending since 2020. The petitioner-plaintiff by this

revision has sought for direction for early disposal of the pending application under Section 7(2) of the Act.

Mr Krishna Das Poddar, learned advocate for the plaintiff-petitioner submits that the application under Section 7(2) of West Bengal Premises Tenancy Act 1997 needs to be disposed of expeditiously as it is pending since January 2020 and he prays for appropriate order.

It is found from the materials placed that the application under Section 7(2) of the West Bengal Premises Tenancy Act 1997 has been filed on 16.01.2020 and since then the said application is pending for disposal.

In view of the above, learned trial court is directed to dispose of the application under Section 7 (2) of West Bengal Premises Tenancy Act 1997 preferably within a period of two months from date of communication of this order without granting unnecessary adjournments to either of the parties.

Plaintiff-petitioner is directed to communicate this order to the learned trial court as well as to the opposite party-defendant and his learned advocate in the trial court.

With the aforesaid observations, the revisional application being **C.O 3654 of 2022** stands disposed of.

All connected applications, if any, stand disposed of.

Interim order, if any, stand disposed of.

Urgent photostat copy of the order, if applied for, be given to the parties upon compliance of all necessary legal formalities.

(Bivas Pattanayak, J.)