

01.10.2024
(D/L 29)
Ct.-19
(Susanta)

IN THE HIGH COURT AT CALCUTTA
CIVIL REVISIONAL JURISDICTION

C.O. 1109 of 2024

Surajit Hazra
-Vs-
Pappu Kumar Verma

Mr. Pinaki Ranjan Mitra,
... For the Petitioner.
Mr. Debjit Mukherjee,
Ms. Susmita Chatterjee,
.... For the Opposite Party.

Affidavit-of-service filed on behalf of the petitioner be kept with the record.

The matter though has been brought to the list on the prayer of the petitioner for extension of interim order but by the consent of the parties, it is taken up for final disposal.

The disposal of the application of the tenant, the petitioner herein, under Section 7(2) of the West Bengal Premises Tenancy Act, 1997 (hereinafter referred to as “**the said Act of 1997**” for short) treating the month of tenancy according to English Calendar month is apparently erroneous, inasmuch as the plaint discloses that such tenancy is according to Bengali Calendar month.

Therefore, the order impugned being order dated March 07, 2024 passed by the 3rd Court of learned Civil Judge (Junior Division) Howrah in Title Suit no. 608 of 2021 is set aside.

The learned Trial Judge is requested to decide the application under Section 7(2) of the said Act of 1997 afresh as expeditiously as possible in accordance with law,

particularly keeping in view the mandate of time for disposal of such an application under the said provision of the said Act of 1997.

C.O. 1109 of 2024 is allowed with the above terms without any order as to costs.

Parties to act on the server copy of this order duly downloaded from the official website of this Court.

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.)