

S/L 3
13.6.2024
Court No.19
SD

IN THE HIGH COURT AT CALCUTTA
CIVIL REVISIONAL JURISDICTION

CO 2003 of 2024

Kalpana Khetry
Vs.
Ranajit Ghosh & Ors.

Mr. Supratik Shyamal
Ms. Sabarnee Chatterjee

...for the Petitioner.

The revisional application under Article 227 of the Constitution of India is at the instance of the defendant in a suit for ejectment and is directed against the Order No.14 dated May 10, 2024 passed by the learned Judge, 2nd Bench, Presidency Small Causes Court at Calcutta in the said suit being Ejectment Suit No.158 of 2022.

The learned Trial Judge by the Order No.8 dated March 31, 2023 had dismissed an application filed by the petitioner under Section 7(1) of the West Bengal Premises Tenancy Act, 1997 praying permission to deposit the admitted arrear rent, consequently by the order impugned has allowed an application filed by the plaintiff/opposite party under section 7(3) of the said Act of 1997.

Mr. Shyamal, learned advocate for the petitioner submits that challenging the said order dated March 31, 2023, the petitioner has filed a revisional application and prayed adjournment of the hearing of the said application under section 7(3) of the said Act of 1997, but the learned Trial Judge rejecting the said prayer of the petitioner has allowed the said application of the plaintiff/opposite party.

Admittedly, no order of stay has been passed in the said pending revisional application. Therefore, this Court does not find any illegality or irregularity in the order impugned.

CO 2003 of 2024 is dismissed, there shall however be no 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 of all requisite formalities.

(Biswajit Basu, J.)