

S/L 9
05.7.2024
Court No.19
SD

IN THE HIGH COURT AT CALCUTTA
CIVIL REVISIONAL JURISDICTION

CO 2009 of 2024

Jyotirmoy Mukhopadhyay
Vs.
Smt. Molly Paul

Mr. Debjit Mukherjee
Mr. Kaustav Bhattacharya

...for the Petitioner.

Mr. Tanmoy Mukherjee

...for the Opposite Party.

The defendant/tenant in a suit for eviction under Section 6 of the West Bengal Premises Tenancy Act, 1997 is the petitioner of the instant application under Article 227 of the Constitution of India is directed against the order dated April 25, 2024 passed by the 6th Court of learned Civil Judge (Senior Division), Alipore, District 24 Parganas (South) in the said suit being Ejectment Suit No.72 of 2022.

The petitioner is aggrieved by the part of the order impugned whereby he has been directed to deposit current monthly rent with interest.

Mr. Tanmoy Mukherjee, learned advocate for the opposite party in his usual fairness, submits that the direction for deposit of interest along with the current rent is bad in law.

In view of the above, the said direction of the order impugned is set aside and it is modified to the extent that the petitioner is required to deposit *only* the monthly rent by the 15th day of each succeeding calendar month for which it falls due.

CO 2009 of 2024 is thus disposed of 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 of all requisite formalities.

(Biswajit Basu, J.)