

S/L 24
03.7.2024
Court No.19
SD

IN THE HIGH COURT AT CALCUTTA
CIVIL REVISIONAL JURISDICTION

CO 2324 of 2024

Sri Subrata Saha
Vs.
Sm. Mala Das & Ors.

Mr. A.N. Chakraborty
Mr. G. Mukhopadhyay

...for the Petitioner.

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 which is directed against the Order No.61 dated April 23, 2024 passed by the learned Judge, 2nd Bench, Presidency Small Causes Court at Calcutta in the said suit being Ejectment Suit No.315 of 2019.

The learned Trial Judge by the order impugned has dismissed an application filed by the petitioner praying for amendment of written statement.

The petitioner by the proposed amendment has sought to include averments in the written statement regarding alleged payment of a sum of Rs.6,50,000/- to the plaintiff/landlord. The said averments are absolutely irrelevant to the issue to be decided in the suit, as such, the learned Trial Judge has rightly dismissed the said application for amendment.

CO 2324 of 2024 is dismissed 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.)