

*In The High Court At Calcutta
Civil Revisional Jurisdiction
(Appellate Side)*

C.O. 2888 of 2024

**Md. Kausher Ali & Anr.
Vs.
Sri Ajoy Kumar Sinha**

Mr. Dhiraj Trivedi,
Mr. Sunil Gupta,
Ms. Swapna Jha,
Ms. Supriti Sarkhar,
Ms. Katha Sarkar

... For the petitioners.

The instant application under Article 227 of the Constitution of India is at the instance of the defendants in a suit for eviction, which is directed against the Order No. 08 dated July 09, 2024 passed by learned Judge, 11th Bench, City Civil Court at Calcutta, in the said suit being *Title Suit No. 718 of 2023*.

The learned Trial Judge by the order impugned has dismissed an application filed by the petitioners under Section 151 of the Code of Civil Procedure praying permission to deposit the current rent.

The suit is not under the Rent Control legislation, as such, there is no scope for deposit of such arrear rent in the suit moreover non-deposit of such rent would not entail any consequence.

C.O. 2888 of 2024 therefore is dismissed without any order as to costs.

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.)