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27.08.2024

*In The High Court At Calcutta
Civil Revisional Jurisdiction*

C.O. No. 3007 of 2024

**Astick Chakraborty & Anr.
Vs.
Sri Tapan Raha**

Mr. Prashant Kumar Singh ... For the petitioners.

The revisional application under Article 227 of the Constitution of India is at the instance of the defendants in a suit for eviction of trespasser, which is directed against the orders dated February 21, 2024 and June 08, 2022 passed by the Additional Court of learned Civil Judge, (Junior Division) at Sealdah, District: 24 Parganas (South), in the said suit being *Ejectment Suit No. 271 of 2005*.

The connected suit being a suit for eviction of trespassers, the defendants have no obligation to comply with the requirement of Section 7 of the West Bengal Premises Tenancy Act, 1997, as such, the learned Trial Judge is well justified in refusing the prayer of the petitioner for permission to deposit the current and arrear rent in the suit under the said provision of the said Act of 1997.

The order impugned does not call for any interference; C.O. 3007 of 2024 is therefore 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.)