

10.09.2024  
Item No.27 DL  
Ct.19  
A.J.

**IN THE HIGH COURT AT CALCUTTA  
CIVIL REVISIONAL JURISDICTION**

**C.O. 3192 of 2024**

**Sri Satish Kumar Agarwal**

**-Vs-**

**Sri Raman Bahri & Anr.**

Mr. Rahul Karmakar,  
Mr. Santosh Kumr Ray,  
Ms. Rituparna Sanyal,  
Ms. Antalina Guha.

.....for the petitioner.

Mr. Harsh Tiwari,  
Mr. Hamidul Haque.

.....for the opposite parties.

The petitioner, by the operation of Section 2(g) of the West Bengal Premises Tenancy Act, 1997, has lost the protection of the said Act, nonetheless had filed a suit for declaration of his tenancy right being Title Suit No. 3043 of 2009, the said suit got dismissed for default.

The application of the petitioner under Order IX Rule 9 of the Code of Civil Procedure has been registered as Misc. Case No. 985 of 2015 before the learned Judge, 11<sup>th</sup> Bench, City Civil Court at Calcutta.

The opposite parties have filed a suit being Title Suit No. 632 of 2015 before the selfsame Court for eviction of the petitioner describing him as trespasser in the suit property.

The petitioner in the said suit has filed an application for analogous hearing of it along with Misc. Case No. 985 of 2015.

The learned Trial Judge by the order impugned being Order No.155 dated July 30, 2024 has dismissed the said application with costs of Rs.30,000/-.

The learned Trial Judge has rightly dismissed the said application as it is aimed to delay the disposal of the eviction suit.

The order impugned, for the aforesaid reason, does not call for any interference.

Mr. Karmakar, learned Advocate the petitioner submits that the petitioner would face immense financial hardship to pay the said costs, he prays for reduction of it.

Considering such submission of Mr. Karmakar, **the said costs is reduced to Rs. 20,000/-** (Twenty thousand rupees only) to be paid to the opposite parties within two weeks from date.

With the above, C.O. 3192 of 2024 is dismissed.

Urgent Photostat certified copies of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

**(Biswajit Basu, J.)**