

11.09.2024
(D/L-35)
Ct.-19
(Susanta)

IN THE HIGH COURT AT CALCUTTA
CIVIL REVISIONAL JURISDICTION

C.O. 3242 of 2024

Smt. Mala Yadav

-Vs-

Smt. Sabitri Kahar

Mr. Sukanta Das,

... For the Petitioner.

The defendant in a suit for ejectment is the petitioner of the instant revisional application under Article 227 of the Constitution of India which is directed against order No. 201 dated July 10, 2024 passed by the 2nd Court of learned Civil Judge (Junior Division), Paschim Medinipur, in the said suit being *Title Suit No. 81 of 2012*.

The learned Trial Judge by the order impugned has dismissed an application filed by the defendant for determination of payable rent holding, *inter alia*, that the application under Sections 7(1) & 7(2) of the West Bengal Premises Tenancy Act, 1997 (Hereinafter referred to as the "*said Act of 1997*" in short) was dismissed vide order No. 26 dated December 14, 2018.

The suit has reached the stage of argument and the defendant without disclosing the rejection of his earlier application under Section 7(1) & 7(2) of the said Act of 1997, with a mala fide intention has filed another application for determination of payable rent.

The order impugned, therefore, does not call for any interference.

C.O. 3242 of 2024 is dismissed with the above observations 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 with all requisite formalities.

(Biswajit Basu, J.)