

29.04.2025
(D/L-09)
Ct.-17
(Susanta
Samar)

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

C.O. 83 of 2025
(Assigned)

Swapan Chakraborty
-Vs-
Amit Banerjee also known as Amit
Bandyopadhyay & Ors.

Mr. Sounak Bhattacharya,
Mr. Sounak Mondal,
Mr. Anirban Saha Ray,
...For the Petitioner.

Mr. Puran Pal,
Mr. Srinjoy Das,
Ms. Mou Ghosh Sen,
.... For the Opposite Parties.

Affidavit-of-service filed on behalf of the
petitioner be kept with the record.

The instant revisional application under
Article 227 of the Constitution of India is at the
instance of the defendant no. 1 in a suit for
eviction being Ejectment Suit no. 69 of 2008.

The said suit was decreed, aggrieved thereby
the petitioner has preferred the connected Title
Appeal No. 02 of 2023 pending before the 1st
Court of learned Additional District Judge at
Barasat, District 24-Parganas (North).

The Appeal Court below by the order
impugned being order no. 16 dated August 14,
2024 has fixed payment of occupational charges
@ Rs. 13,150/- (Rupees thirteen thousand one
hundred fifty) only per month as the conditioned

for grant of stay of the execution levied to execute the said eviction decree. The payment was directed to be made on the date of the decree under appeal.

The suit property is a flat at the ground floor of the suit premises which is comprised of one room, one kitchen, one bathroom, one latrine, one passage-cum-varandha together with one room at the mazzanine floor of the said premises which is situated at Lake Town, a prime location of Kolkata, therefore, in view of the extent of the said tenancy and its location, this Court does not find any reason to interfere with the order impugned.

C.O. 83 of 2025 is dismissed with the above terms 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.)