

D/L- 8
20/02/2025
Ct. No.-6
Aritra

C.O. 564 of 2025

**Rajendra Shaw
Versus
Satyanarayan Chowdhury**

Mr. Debasish Kar
Mr. Subhajit Chowdhury
...for the petitioner

This application under Article 227 of the Constitution of India is at the instance of the defendant in a suit for eviction under the West Bengal Premises Tenancy Act, 1997 and is directed against an order dated January 17, 2025 passed by the learned Civil Judge (Jr. Div.) 1st Court, Barrackpore in Title Suit No.113 of 2022.

By the order impugned the application under Section 7(1) and 7(2) of the West Bengal Premises Tenancy Act, 1997 stood rejected. The learned Trial Judge noted that the defendant/petitioner herein did not file the petition under Section 7(1) and 7(2) within the time limits prescribed under Section 7(1) and 7(2) of the West Bengal Premises Tenancy Act, 1997. The learned Trial Judge further noted that the petitioner herein also did not deposit the admitted arrear rent with the time limits stipulated under the said provisions.

In the back drop of such factual finding the learned Trial Judge rejected the applications under Section 7(1) and 7(2) of the 1997 Act.

This Court is not inclined to interfere with the impugned order as the same was passed rightly interpreting the provisions of the said statute. In view thereof no relief can be granted to the petitioner in this application under Article 227 of the Constitution of India.

With the above observations CO 564 of 2025 stands dismissed.

There will be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Hiranmay Bhattacharyya, J.)