

Sl. 19
19.03.2025
Court No.6
BP

C.O. 932 of 2025

Ramesh Kumar Jaiswal & Anr.
-versus-
Lalita Seth & Ors.

Mr. Ashim Kumar Roy
... for the petitioners

This application under Article 227 of the Constitution of India is directed against the orders being nos. 205 and 206 dated December 18, 2024 and February 20, 2025 both passed by the learned 2nd Bench, Presidency Small Causes Court at Calcutta.

The petitioners are the plaintiffs in a suit for eviction filed under the provisions of Section 13 of the West Bengal Premises Tenancy Act, 1956. In such a suit the application of the opposite party under Section 17(2) of the 1956 Act was disposed of. Being aggrieved by the computation of interest in the said order the petitioner filed an application under Section 151 of the Code of Civil Procedure which stood allowed by Order no. 201 dated July 11, 2024.

It has been submitted by the learned advocate for the petitioner that challenging the said order the opposite party herein has preferred the civil revisional application being C.O. 3710 of 2024 which is pending before this Court.

The grievance of the petitioner is that the learned trial Judge is adjourning the matter from time to time on the ground of pendency of the civil revisional application. It appears from the order dated 18th December, 2024 that 20th February, 2025 was fixed for hearing of the petition under Section 17(3) of the West Bengal Premises Tenancy Act, 1956. On that day the opposite party herein filed an affidavit-in-opposition to the application under Section 17(3) of the said Act.

In view thereof, this Court do not find any infirmity in the orders impugned warranting interference under Article 227 of the Constitution of India.

Accordingly, C.O. 932 of 2025 stands disposed of.

No order as to costs.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Hiranmay Bhattacharyya, J.)