

Sl. 11
07.05.2025
Court No.6
BP

C.O. 1391 of 2025

Tapan Kumar Das & Anr.
-versus-
Shikha Chakraborty

Mr. Debasis Sur
Mr. Arun Kumar Mondal
..for the petitioners

Mr. Arijit Dey
..for the opposite party

This application under Article 227 of the Constitution of India is at the instance of the defendants and is directed against an order dated January 7, 2025 passed by the learned Civil Judge (Junior Division), 1st Court at Hooghly in Title Suit No. 101 of 2018 expeditiously.

Heard the learned advocate appearing for the petitioners and the opposite party.

By the order impugned the application under Section 7(2) of the West Bengal Premises Tenancy Act, stood rejected.

It is not in dispute that the admitted rent for the period from January 2017 to March 2018 was not deposited along with the application under Section 7(2) of the West Bengal Premises Tenancy Act. It is well settled that the tenant defendant has to deposit the admitted arrears of rent together with an application for adjudication of the dispute under Section 7(2) of the 1997 Act.

Since the admitted arrears of rent was not deposited, this Court is of the considered view that the learned trial judge was right in rejecting the application under Section 7(2) of the 1997 Act.

For such reason, this Court does not find any reason to interfere with the order impugned.

Accordingly, C.O. 1391 of 2025 stands dismissed.

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.)