

January 13, 2025
Sl. No. A 55
Court No.5
s.biswas

CO 1368 of 2024

Smt. Chhabi Mukherjee alias Chabi Mukherjee
vs.
Pintu Das

Mr. Sujit Banerjee

... for the petitioner

Mr. Ayan Banerjee

Ms. Tanusri Sur (Aich)

... for the opposite party

1. Challenging the order dated 18th May, 2022 passed by the Civil Judge (Senior Division) Bidhannagar North 24 Parganas in Ejectment Case No.20 of 2012, rejecting the petitioner's application under Section 7(2) of the West Bengal Premises Tenancy Act, 1997 (hereinafter referred to 'the said Act'), the instant revisional application has been filed.

2. The petitioner also challenges the order passed under Section 7(3) of the said Act striking out the defence of the defendant against the delivery of possession. Mr. Banerjee learned advocate entered appearance through his junior Ms. Sur (Aich), on the behalf of the opposite party. By placing the order passed in CO 1941 of 2022, he would submit that a revisional application challenging the above order has already been dismissed by order dated 5th September, 2022. By suppressing such fact, the instant revisional application has been filed.

3. Since the petitioner has proceeded to file the instant revisional application by suppressing the order dated 5th September, 2022, I am of the view that there is no scope to entertain the revisional application. Accordingly, the revisional application stands dismissed with cost of Rs.5000/- to be paid by the petitioner to the opposite party.

4. Let a copy of the certified copy of the order dated 5th September, 2022 in CO 1941 of 2022 (Smt. Chhabi Mukherjee vs. Sri Pintu Das) be retained with the file.

(Raja Basu Chowdhury, J.)