

23.07.2025
Item no. 31.
Court No.6.
AB

C. O. 2619 of 2025

**Protiva Sen @ Protiva Sengupta
Vs
I. K. Merchant Limited & Anr.**

Mr. Rahul Karmakar,
Mr. Dyutimoy Pal,
Ms. Debarshi Das,
Mr. Debabrata Das,
Mr. Saptarshi Mukherjee
Mr. Tirthankar Nandyfor the Petitioner.

The order passed by the Rent Controller in a proceeding under Section 26(3) of the West Bengal Premises Tenancy Act, 1997 has been challenged by the landlord in the civil revision application.

This Court is not inclined to entertain the civil revision application under Article 227 of the Constitution of India in view of existence of an efficacious alternative appellate remedy provided under the West Bengal Premises Tenancy Act, 1997.

Faced with such situation, the learned advocate for the petitioner prays for leave to withdraw the civil revision application with liberty to approach the appropriate forum in accordance with law.

In the light of the submission made by the learned advocate for the petitioner, C. O. No.2619 of 2025 stands dismissed as withdrawn with liberty to the petitioner to approach the appropriate forum in accordance with law.

Learned advocate for the petitioner shall be permitted to take back the certified copy of the impugned order by replacing the same with a photostat copy thereof.

Mr. Karmakar, learned advocate for the petitioner, submits that since through inadvertence the civil revision application was filed, the delay may be condoned by this Court.

It will be open to the petitioner to approach the appropriate forum for condonation of delay in accordance with law.

(Hiranmay Bhattacharyya, J.)