

M/L- 49
04/08/2025
Ct. No.-6
Aritra

C.O. 4182 of 2024

**Smt. Shipra Ghosh & Ors.
Vs.
Madhu Pramanick & Ors.**

Mr. Arijit Sarkar
Ms. Prajaaini Das

...for the petitioners

This application under Article 227 of the Constitution of India is at the instance of the plaintiff and is directed against an order being No.6 dated September 21, 2024 passed by the learned Additional District Judge, Fast Track, 1st Court at Alipore in Ejectment Appeal No.8 of 2024.

By the order impugned the stay application was allowed thereby directing the opposite party to pay occupational charges at the rate of Rs.1200/- per month.

The learned advocate appearing for the petitioner submits that the suit property is situated in the heart of city of Kolkata and the occupational charges fixed by the learned judge of the First Appellate Court is very low.

After going through the schedule of the suit premises, this Court finds that the suit property consists of one room with varanda made of bamboo structure with darma and split bamboo, mud floor and tile roof with common user of bath and privy.

Thus, this Court finds that the learned judge of the First Appellate Court was right in fixing the occupational charges at Rs.1200/- per month.

For such reason, this Court is not inclined to interfere with the order impugned.

At this stage the learned advocate appearing for the petitioner prays that a direction be passed upon the learned judge of the First Appellate Court to dispose of the ejectment appeal expeditiously.

In the light of the submissions made by the learned advocate for the petitioner, CO 4182 of 2024 stands disposed of by requesting the learned Additional District Judge, Fast Track, 1st Court at Alipore to make an endeavour to dispose of the Ejectment Appeal No.8 of 2024 as expeditiously as possible but preferably within a period of six (6) months after the appeal is made ready for hearing.

This order has been passed considering the fact that the appeal arises out of suit for eviction, *inter alia*, on the ground of reasonable requirement.

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.)