

**SUPREME COURT OF INDIA**

Monoj Lal Seal & Ors.

Vs.

Octavious Tea and Industries Ltd.

(M.Yusuf Eqbal and Amitva Roy, JJ.)

21.04.2015

**JUDGEMENT**

**M.Yusuf Eqbal**

1. Leave granted.

2. This appeal by special leave is directed against the order dated 27.3.2014 passed by the High Court of Calcutta in Company No. 914 of 2012 dismissing the application filed by the Appellants and upholding the orders dated 19.1.2012 and 21.2.2012 passed by 5 Bench, Presidency Small Causes Court at Calcutta in Ejectment Suit No. 49 of 2008 -E and rejecting the application for review of the order passed Under Section 7(2) of the West Bengal Premises Tenancy Act, 1997. The facts of the case lie in a narrow compass.

3. The father of Appellant No. 1 was owner of a two storied building in a posh locality in South Kolkata (near Park Street) with a covered area of about 4650 sq. ft. on the rent of only Rs. 429/ - per month. The tenancy of the Respondent was attorned by the Official Trustee of West Bengal in favour of Appellant No. 1 herein and since then the Respondent -tenant, which is a corporate house is occupying the entire first floor of the building. ;