

In the Court of Sukul Ram, Sub-Judge-I Cum ACJM, Narkatiaganj
Title Suit No. 90 /2025

Yasmin Aara.....Plaintiff
V/S

Nasir Ahsan & others.....Defendants

<u>DATE</u>	<u>ORDER</u>	<u>REMARKS</u>
21.05.2025	Plaintiff has filed his attendance. A petition dated 14.05.2025 has been filed on behalf of the Plaintiff under Order 26 Rule 09 of CPC which was presented for hearing today on 21.05.2025. Submit the office record for order in the second half. Dictated Sub-Judge-I Narkatiyaganj Order	
Lateron 21.05.2025	Office submitted the record for order. Learned counsel of the Plaintiff prayed that Plaintiff has filed a seperate petition for issuance of ad-interim injunction in this case for restraining the defendants from making any construction over suit land of plot no. 436. For better understanding and elucidating the matter in dispute and for disposal of the injunction petition it is essential that a real and factual possession of the suit land be come before the court. The suit land of plot no. 436 is at a distance of 15 K.M from this court and the Plaintiff is ready to pay the fees of advocate commissioner. It is therefore, prayed that youg honour may be pleased to appoint an advocate commissioner for inspection of suit land of plot no. 436. To be inspected and report on 1. What is the exact position of the suit land of plot no. 436?	

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Continue 21.05.2025	2. Whether there is any construction material collected over this land? 3. Whether the construction work is going on over suit land of plot no. 436? Heard the Learned counsel of the Plaintiff and perused the record. From perusal of the record it appears that the record has been coming for hearing on the petition dated 14.05.2025 of the Plaintiff for appointment of Advocate commissioner. During the pendency of the suit, the court is the guardian of the disputed land and the work of the court is to protect the disputed land during the pendency of the suit. Therefore, the application of the Plaintiff dated 14.05.2025 is accepted. Accordingly, Mr. Dhiraj Kumar, a local learned advocate of the Civil Court, Narkatiaganj is appointed as Advocate Commissioner And he is ordered to submit a report with photographs on the facts mentioned in the application regarding the actual condition of the disputed land. The expenditure incurred for the appointment of Advocate Commissioner of Rs. 2500/- will be borne by the Plaintiff. Another petition has been filed on behalf of the Plaintiff on 14-05-2025 under Order 39 Rule 01 and section 151 of CPC, pressed today. O/C is directed to issue show-cause to defendants. Plaintiff is directed to file the requisites of show-cause within time. Put up on 04-06-2025 for further action. Dictated Sub-Judge-I Narkatiaganj	
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