

TS - 621/2022

CNR-WBHG080008752022

JO-WB01482

04 / 07.12.2022

Record is put up today at the instant of the plaintiff.

Plaintiff files a petition u/Order 39 Rule 7 r/w/sec.151 CPC supported with affidavit.

The record is taken up for hearing petition filed u/O 39 R 7 r/w Section 151 of CPC filed today i.e. on 07.12.2022.

The defendants have not yet been appeared.

Now, the petition of local inspection filed u/O 39 R 7 r/w Section 151 of CPC on 07.12.2022 is taken up for order.

Perused the petition and other materials on record.

After perusing the petition this Court find that a local inspection of the suit property is essential, so as to ascertain the present local position of the suit property. The true object of the local inspection commission is to bring before the court the exact picture of the suit property and the purpose of inspection by a Commissioner under Order 39 Rule 7 CPC is to keep on record the condition of the property so that if any change is made in it later on it can be known by the Court.

Hence, for proper adjudication of the suit the petition under order 39 Rule 7 of CPC is considered and allowed on contest without cost.

Let **Debosmita Ghosh**, Ld. Advocate of the Court be appointed as advocate commissioner for holding inspection as per points mentioned in the inspection petition and also to note down any other local features pointed out by Ld. Advocates of both the parties at the time of inspection commission. The plaintiff is directed to pay Rs 3,500/- by hand to the Ld. Advocate commissioner as commissioner fee.

The commissioner shall proceed to the locality after giving notice to the parties through their respective lawyers. Let the copies of the local inspection petition and of the plaint be handed over to the commissioner.

Issue writ accordingly.

The commissioner shall submit his report by date positively.

Todate for payment of commission cost and S/R.

Dictated and corrected by me

**Civil Judge, (Junior Division),
2nd Court, Serampore, Hooghly**

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