

T. S. - 637/2022
Present - Chirayato Banerjee
J.O Code WB01402

Order No. 10

Dated : 27.08.2024

Today is fixed for hearing of application for local inspection under Order XXXIX Rule 7 CPC filed by the plaintiff.

Defendant files written objection. Heard both sides, perused the material on record, considered.

Perusing the application, it appears that the main purpose/cause of action for filing the instant application is the alleged act of the defendant in collecting sand, brick and other construction material to oust the possession of the plaintiff from the suit property. Perusing the pleadings of the plaintiff, it appears that the main cause of action for this suit is with respect to the suit is that there is an unregistered agreement which the defendant is refusing to register in favour of the plaintiff.

Under such circumstances, the local inspection to note the local features or the presence of sand/brick etc, is not in any way going to help this Court in reaching a better adjudication. The plaintiff is urged to expedite the trial and be prepared for PH on the next date.

With this, the application for local inspection is disposed of as rejected.

Fix **09.12.2024** for PH.

Sd/- C. Banerjee
Civil Judge (Jr. Div.)
Addl Court, Hooghly