

T.S. 430 of 2022

CIS No. 430 of 2022

Order no. 22 Dated: 14.05.2025

Today is fixed for passing order in respect to the petition dated 18.10.2023 for local inspection under Order 39 Rule 7 of CPC filed by plaintiffs.

Both parties filed hazira.

Plaintiff filed a money receipt dated 14.05.2025 of Rs. 1000/- paid by the defendant as per the order no. 13 dated 03.01.2024.

Heard the Ld. Advocate of both parties on earlier occasion.

Perused the petition for local inspection filed by the plaintiffs and other materials available on record.

Considered.

Ld. Advocate for the plaintiff moved the petition for local inspection and submitted that an order of injunction on ad interim basis passed by this Court on 12.09.2022 to the effect of maintaining status quo, in respect of the nature, character, possession and title of the schedule suit property. The plaintiffs further stated that to bring out a clear picture of the suit property, local inspection is necessary as per the schedule of inspection and it will not a method of fishing out of evidence.

Defendants have only raised formal verbal objection against the instant petition.

However, on perusal of the petition and the schedule of points, it appears to the Court that to bring forth the real picture of the suit property for the proper adjudication of the dispute involved in the suit, a local inspection will be beneficial.

Ld. Advocate **Rupam Hari** of this Court is hereby appointed as the Ld. Advocate Commissioner to hold local inspection of the suit property as per points mentioned in the schedule of the petition for local inspection of the plaintiffs.

Ld. Advocate Commissioner is directed to visit the locale after serving proper notice upon the parties and to observe all the formalities before inspecting the suit property as per points mentioned in the petition and to submit report positively by the next date fixed before this Court.

The plaintiffs are directed to pay Rs. 3,500/- as Ld. Advocate Commissioner's fees at once. Issue writ after payment of commission fee.

Requisite at once.

Ad interim order be extended till next date.

Fixing 16.06.2025 for report from Ld. Advocate Commissioner.

Civil Judge (Jr.Divn.), 2nd Court
Barrackpore