

Title Suit No. 26 of 2020
CIS No. 26 of 2020
CNR No. WBBK07-000099-2020
Present : Sri Tanumoy Karmakar (J.O. Code: WB01209)

Order no. 32
Dated 21-08-2025

The record is put up today by way of put up petition filed by the plaintiffs.

The put up petition is considered and allowed.

Ld. Counsel for the plaintiffs filed application under Section 151 of the CPC for restoration of the instant suit inter alia, stating that the preliminarily decree of the suit has already been drawn and for final decree the restoration of the suit is necessary.

Considering the above noted circumstances, I have no other alternative but to restore this suit.

Therefore, the application filed by the plaintiff under Section 151 of the CPC is hereby allowed.

Thus the instant suit is restored.

Suit Clerk is directed to make necessary entries in the CIS.

Accordingly, the case record is taken up for hearing the application filed by plaintiffs pertaining to appointment of Ld. Survey passed Advocate Commissioner.

It is also pertinent to mention here that separate allotment was shown in the preliminarily decree for the plaintiffs and defendant no.1.

Considering the rule of natural justice, I have no impediment to allow the application filed by the plaintiffs.

Hence, it is,

ordered,

that **Mr. Sushobhan Nandi**, the Learned Survey Passed Advocate is appointed as Commissioner for holding the survey commission in terms of the preliminary decree for **plaintiffs and defendant no.1**. The plaintiffs are directed to deposit a sum of **Rs.8,000/- (Rupees Eight Thousand only)** towards the provisional cost of commission work at once.

Writ will be issued after payment of provisional cost.

Learned Advocate Commissioner is requested to serve notice upon both the parties before holding survey commission.

Plaintiffs are directed to issue the writ for commission work.

Plaintiffs are directed to furnish the relevant papers and documents to the Ld. Advocate Commissioner at once along with prescribed fees as mentioned earlier for the Ld. Survey Passed Advocate Commissioner.

Fix **26-11-2025** for awaiting Commissioner's Report.

Writ in the meantime.

Update CIS forthwith.

Dictated & Corrected by me.

Civil Judge (Sr. Divn.), Bishnupur

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