

T.S. 619/17 CNR – WBCC0102909-2017

Present: Sri Jayanta Koley, Judge, Bench-II. (WB00562)

Order 45

20.8.24

Today is fixed for exparte hearing of this suit.

Plaintiff files an application u/o 39 Rules 7 and 8 read with section 151 CPC praying for appointment of an Advocate Commissioner for holding local inspection commission of the suit premises. Plaintiff also files a petition praying for taking off the suit from exparte board for the reason of filing of the said application.

Defendants are absent as before as the suit is proceeding exparte as against them.

Heard the Ld. Advocate for the plaintiff. Perused the said application.

In view of the submission of the Ld. Advocate for the plaintiff and regard being had to the nature of the suit together with the reliefs sought for, I feel that for proper elucidation of the dispute involved in this suit between the parties, a report of local Inspection Commission will be of much help and assistance for this court towards disposal of this suit.

Considered as above, I am inclined to allow the said application.

Hence it is

Ordered

that the application of the plaintiff filed this day u/o 39 Rules 7 & 8 read with section 151 CPC stands allowed.

Let Sri Chitta Binod Biswas (9836519569) be appointed as the Advocate Commissioner to hold local inspection commission in respect of the suit premises as per the points of commission work mentioned in the schedule to the said application.

Plaintiff is directed to make payment of a sum of Rs. 6000/- towards the fees and other incidental expenses of the Ld. Advocate Commissioner at once fixing 20.11.24 for submission of report of local inspection commission. Writ will be issued after payment of such fees.

D/C by me

Judge

Judge 2nd Bench