

T.S. 35120 of 2014

Present: Sri Subhash Kumar Kar, Judge, Bench-V (WB 00592)

Order No. 53/ Dated 03.05.2023

Parties have taken their respective steps.

The date is fixed for hearing of the petition under Order 39 Rule 7 of C.P.C.

Heard both sides on the petition. Seen the record.

On perusal of the petition, it appears that the plaintiff has sought for local inspection on two points namely whether there is any business is running as a xerox machine shop in the name of MA Chandi Xerox in the suit premises and whether the nature and character of the suit premises has been changed.

Since, both the points relate to the features of the suit property, same is allowed on contest.

Ld. Advocate **Mr. Rupchand Chakraborti** is appointed as Ld. Commissioner to hold the local inspection in the suit premises on a date to be fixed by him in respect of the said two points with a prior notice to both sides and he shall conduct the commission work on the date to be fixed by him in presence of both sides.

Plaintiff is directed to pay **Rs. 2,000/-** as a cost of the commission work.

D.A. is directed to issue writ of commission.

Ld. Advocate Commissioner is directed to submit the report positively by the date fixed.

Fix **12.07.2023** for report of the Ld. Commissioner.

Plaintiff to put requisites.

Dictated & Corrected by me:

(Sd/-Subhash Kumar Kar)
Judge, Bench-V
City Civil Court, Calcutta

(Sd/-Subhash Kumar Kar)
Judge, Bench-V
City Civil Court, Calcutta