

**Ejectment Suit 40 of 2022**

**Present: Yasmin Fatma, Judge, Bench-XII (WB 00050)**

**Order No. 09**

**Dated: 22.12.2023**

I have already heard both the sides with respect to one **(01) application** filed by plaintiffs & defendant.

Defendant's application filed u/s 7(1) of W.B.P.T. Act, 1997 is allowed herewith on contest at the risk of the defendant.

Plaintiffs' application U/O XXXIX Rule 7 read with Section 151 of C.P.C is taken up for passing necessary order.

Considered.

Regarding the application U/O XXXIX, Rule 7 read with Section 151 of CPC, is allowed.

Let, **Sri. Md. Hafizul Haque (PH: 8617750712)** be appointed as Advocate Commissioner who will conduct the commission work as per the application dated 15.11.2022. upon notice to both the sides and submit the report before the Court positively.

Plaintiffs are directed to hand over Rs. 6000/- as Advocate Commissioner's fees at once.

Issue writ to the Advocate Commissioner after payment of the Commissioner's fees by the plaintiffs and the plaintiffs have to file payment receipt on next date.

Accordingly, the petition dated 15.11.2022 for holding inspection by Advocate Commissioner is allowed.

Fix 06.02.2024 for submission of the report by the Advocate Commissioner.

Defendant is directed to submit all the Challans on the next date in default his defence will be struck off.

Dictated & Corrected by me.

Sd/-  
Judge, Bench-XII  
City Civil Court, Calcutta

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