

Trust Suit No. 01 of 2025
CNR No. WBHW01 003352 2025

Present: Abhijit Som,
District Judge, Howrah.
J.O. Code - WB01127

Order No. 06 dated 06.08.2025.

The record is put up on prayer.

The application under order 39 Rule 7 of the C.P.C. praying for a local Inspection Commission is taken up for hearing.

It is submitted on behalf of the plaintiffs that the order of ad interim injunction is not complied with. It is also submitted that an inspection of the suit property by an Advocate Commissioner will be helpful for the adjudication of the injunction matter.

It appears to this Court that delay may defeat the purpose of holding local inspection. Hence, an order may be passed without serving notice to the defendants. It is well settled principle of law that an application for local inspection under Order 39 Rule 7 of the C.P.C. may be made at any stage after institution of the case. The Court has perused the points of local inspection.

Having considered all aspects, the prayer for local inspection by appointment of an Advocate Commissioner is allowed.

Learned Advocate Smt. Shubhoshree Adhikari is appointed as Advocate Commissioner for holding local inspection. She is to go to the suit locale after serving notice upon both sides and after receiving writ from the Court.

The plaintiffs are directed to make payment of Rs. 5,000/- to the Advocate Commissioner on receipt.

Fix 24.09.2025 for filing report by the Advocate Commissioner.

The application under Section 151 of C.P.C. for police help will be taken up for hearing after submission of report of the Advocate Commissioner.

Dictated & corrected by me.

D. J.

District Judge, Howrah.