

Order No.07 Dated:- 10.06.19

Plaintiff files hazira. Plaintiff files a petition for extending ad-interim injunction. Heard. Considered. The prayer is allowed. The ad-interim injunction is extended till next date.

Plaintiff moves the petition u/o.39 rule 7 CPC dt. 05.04.19.

Heard Ld. Advocate for the Plaintiff. Perused the petition. The Defendants are yet to appear.

It appears from the petition filed u/o-39 Rule 7 C.P.C for local inspection that the Defendants are trying to raise construction over the suit property forcibly and are trying to change the nature and character and gathered building materials in spite of having knowledge of the existing ad interim order of injunction wherein both parties were directed to maintain status quo over the suit property in respect of nature, character and possession and hence Local Inspection petition is necessary to know the real state of affairs.

Having regard to the submission and on perusal of the petition I find Local Inspection petition is necessary.

Hence, it is,

ORDERED

That the petition filed u/o-39 Rule 7 C.P.C by the Plaintiff on 05.04.19 is hereby allowed.

Let Sri Pradip Singha Roy / Ld. Advocate be appointed as a pleader Commissioner for conducting the local inspection. The Plaintiff is directed to pay Rs.1400/- towards the cost of the Commissioner. The Commissioner shall proceed to the locality for holding local inspection after giving notices to both sides and their Ld. Advocates. The Commissioner shall hold the local inspection on the points mentioned in the petition u/o.39 R 7 CPC after observing all legal formalities. The Plaintiff is directed to supply the copy of local inspection petition and other relevant documents to Ld. Commissioner for the purpose of holding the local inspection. Writ will be issued after payment of the Commissioner's cost.

To date for local inspection report.

Dictated & Corrected by me.

C.J (Sr. Divn.), Lalbagh,Msd.

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