

Order No. 06 dt.21.01.20.

Record is put up on prayer of Plaintiff.

Plaintiff files a petition U/O. 39 Rule 7 of CPC duly supported by affidavit. Defendants are yet to appear.

Heard Ld. Advocate for the Plaintiff. Perused the petition.

It is stated that the Plaintiff filed the instant suit for partition and the Ld. Court directed the Plaintiff and Defendant Nos. 7-10 to maintain status quo in respect of nature, character and possession of the suit property which is still in force but in spite of that the Defendant Nos. 7-10 are trying to raise new construction over the suit property and also purchased building materials for the same and thus the Plaintiff prays for local inspection.

Perused the record and the petition. It is alleged that the Defendant Nos. 7-10 are trying to raise new construction over the suit property and also purchased building materials and considering the facts and circumstances, and I find that Local Inspection petition is necessary and it will not tantamount to collection of evidence.

Hence it is,

ORDERED

that the petition u/o. 39 rule 7 CPC dtd. filed by the Plaintiff today is hereby allowed.

Let Pradip Singha Roy be appointed as a pleader Commissioner for conducting the local inspection. The Plaintiff is directed to pay Rs.1,500/- as provisional cost of the Commissioner. The Commissioner shall hold local inspection after giving notices to both sides and their Ld. Advocates, and 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 holding the local inspection. Writ will be issued after payment of the Commissioner's cost.

To date for Commissioner's report.

Dictated & Corrected by me.

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

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