

Misc Appeal – 98/18
Reg. No. – 98/18
J.O. Code – WB 653

Order No. 28, Dated 16.12.22

Appellant files hazira.

Today is fixed for exparte hearing along with a petition U/S 151 CPC and awaiting L.C.R.

The appellant not pressed the 151 petition dated 26.09.18.

No LCR is received. On repeated call, none appears for the respondents. Heard Ld. Lawyer for the appellant. Perused the materials on record. Considered.

It appears to me that in spite of passing several orders from time to time and inspite of issuing reminders, LCR i.e. record of enquiry on the basis of which eviction order no. 01/25 / Eviction /Estt. (QAG) dated 31.08.18 got passed by Works Manager / Estate Officer, Ordinance Factory, Dumdum, Kol -28 has not been received till now as to why the reason best known to the Office concerned. It further appears to me that this Court is not in a position to deal with the case just for non co-operation of the Estate Officer as mentioned above.

Be it mentioned here that the instant appeal is pending for a long time and the record of enquiry in question is very much required to complete hearing of the same. Accordingly, Works Manager / Estate Officer, Ordinance Factory, Jessore Road, Dumdum, Kol -28 is hereby directed to ensure production of the aforementioned record of enquiry positively by the next date failing which the Court would be compelled to adopt coercive measure to enforce the order.

In addition to that General Manager, Ordinance Factory, Jessore Road, Dumdum, Kol -28 is directed to look into the matter personally so that production of the record of enquiry is ensured by the next date. Inform Works Manager / Estate Officer as well as General Manager concerned accordingly.

To **01.03.23** for awaiting record of enquiry of the impugned eviction order from Works Manager / Estate Officer and passing further order.

D/C by me.

A.D.J., 1st Court.

Addl. District Judge,
1st Court, Barasat.