

EJECTMENT SUIT NO. 178 OF 2015

ORDER NO. 31 DATED 13.06.2019

Both parties are present on call. Counsels for both sides are present.

The application under Or.39 R.7 C.P.C. filed by the plaintiffs is taken up for hearing.

Heard both sides.

Perused the petition, written objection and the materials available on record. Considered.

This is a suit for reasonable requirement. So, I am of the view that local inspection of the suit premises is sine qua non.

Defendant submitted that the plaintiffs have other reasonable accommodation in the locality but he has got no idea about its exact location.

Local inspection application is allowed on contest but without any order as to cost.

Let Shri/Smt. TAPASI CHATTERJEE be appointed as an Advocate Commissioner to hold local inspection of the suit property as per points nos. 1, 2, 3 and 4 of the schedule along with the point no.5 as framed by this Court “the commissioner is directed to ascertain as to whether the plaintiff is occupying any other accommodation in and around the vicinity of the same locality in presence of both parties” after service of notice upon both parties to this suit as well as their respective Id. Advocates and to submit a report thereof.

Plaintiff is directed to deposit a sum of Rs.5000/- towards cost of commission positively by the date fixed.

Fix 12.07.2019 for deposit of commission cost of Rs.5000/- by the plaintiff and further order.

DICTATED AND CORRECTED BY ME

JUDGE

JUDGE  
[5TH BENCH]