

Ej Suit 219 of 2011
WBPS01-000296-2011

Before: Smt. Sudipa Banerjee, Ld. Judge, 3rd Bench

Order no. 89

Date: 10-11-2022

Today is fixed for filing receipt showing payment of commission cost by the plaintiff and hearing of the petition u/s 151 of CPC filed by the plaintiff dt. 17.09.2022. W/o if any, in the mean time.

Plaintiff files hazira.

Defendant no 3 files hazira.

Now, the petition u/s 151 of CPC filed by the plaintiff dt. 17.09.2022 is taken up for hearing.

Heard Ld. Advocate for the plaintiff. Perused the petition and materials on record. By the instant petition, plaintiff has prayed for recalling the order dt. 03.09.2022 and reduce the commission cost.

It appears from the record that, vide order no 87 dt. 03.09.2022 Ld. Predecessor-in-chair has allowed the petition u/o 39 rule 7 r/w sec 151 of CPC dt. 10.05.2022 filed by the plaintiff and directed the plaintiff to pay a sum of Rs. 15000/- (Rupees fifteen thousand only) to the Ld. Advocate commissioner for holding the commission work and file a receipt thereof. The order was passed after hearing both sides and it is a reasoned order. At this stage, this Court does not find any reason or occasion to interfere with the said order.

Accordingly, the petition u/s 151 of CPC filed by the plaintiff dt. 17.09.2022 is considered and rejected.

Plaintiff is directed to comply the order no 87 dt. 03.09.2022 passed by the Ld. Predecessor-in-chair.

Fix 21-01-2023 for filing receipt showing payment of commission cost by the plaintiff positively.

Sudipa Banerjee
(J.O. Code: WB 01148)
Judge,
3rd Bench,
Presidency Small Cause Court,
Calcutta