

ORDER NO.18 dt.18/05/2026

Parties file hazira.

Petition u/o 39 rule 7 CPC is taken up for hearing.

Heard both the sides.

Perused the petition and considered the written objection.

It appears that the plaintiff has filed the suit for ejectment and one of the ground is reasonable requirement. In such circumstances plaintiff has prayed for commission to inspect the respective possession of plaintiff and defendant.

The defendant has objected the prayer on the ground that the respective possessions are not described in the plaint and that no alternative accommodation is mentioned in the plaint.

I find that the points are sufficiently explained and necessary for the purpose of bringing the real picture before this Court in the suit for eviction.

Accordingly, it is

ordered

that the petition u/o 39 rule 7 is allowed on contest.

Ld. Advocate Nipa Mullick is hereby appointed as Advocate Commissioner and directed to conduct the commission work of the commission petition after serving copy on both sides.

Plaintiff is directed to deposit Rs.10000/- as commission cost and filed receipt thereof on 22/06/2026, writ will be issued thereafter.

Ld. Advocate Commissioner is directed to complete the commission work and submit the report as early as possible.

D/C by me

Judge, Bench-4,
Presidency Small Cause Court

Judge, Bench-4,
J.O. Code no. WB01232

EJ 294 OF 2024
CNR NO. WBPS01-000502-2024