

EJECTMENT SUIT NO. 222 OF 2018  
C. N. R. NO. WBPS01- 000735-2018  
Before Smt. A. Bhattacharya, Ld. Judge, 5<sup>th</sup> Bench.

ORDER NO. 40 DATED 21.03.2025

Both parties file hazira.

Today is fixed for submission of commission report.

Ld. Advocate Commissioner has filed one petition praying for extending the time for at least two months to complete the commission work on the ground stated therein.

Heard Ld. Advocate Commissioner who has submitted that in the writ of commission issued to him, some discrepancy is there regarding commission in respect of defendant's portion and needs to be corrected.

Considering the petition, materials on record and the submission of Ld. Advocate Commissioner, I find that vide order no.38 dated 21.01.2025, the petition under Or.39 R.7 of C.P.C. filed by the plaintiff was allowed but in the point no.(b), there is a typographical mistake which needs to be rectified.

Hence, it is

**ORDERED**

that the petition filed by the Ld. Advocate Commissioner today is allowed.

Ld. Advocate Commissioner is directed to hold local inspection on 17.04.2025 and 23.04.2025 on the points mentioned hereinbelow after service of notice upon both parties to this suit and their respective Ld. Advocates and to submit report thereof positively on the date fixed:-

a) to inspect the existing accommodation and mode of user available to the Plaintiff in premises no.41, Radha Madhav Saha Lane, Kolkata-700007.

b) to inspect the existing accommodation and mode of user available to the defendant in premises no.41, Radha Madhav Saha Lane, Kolkata-700007.

c) to inspect the special feature, if any, at premises no. 41, Radha Madhav Saha Lane, Kolkata-700007.

d) to prepare a rough sketch map.

D.A. is directed to make necessary correction in the writ of commission at once.

Ld. Advocate Commissioner is directed to file the writ of commission already issued to him for making necessary correction.

Let a copy of this order be served upon the Ld. Advocate Commissioner.

Fix 05.05.2025 for submission of Commission Report.

Dictated and corrected by me,

JUDGE

JUDGE  
[5TH BENCH]