

EJECTMENT SUIT NO. 145 OF 2008
C. N. R. NO. WBPS01-000641-2008
Before Smt. A. Bhattacharya, Ld. Judge, 5th Bench.

ORDER NO. 84 DATED 15.01.2025

Both parties file hazira.

Defendant has also filed Vakalatnama afresh. Let the same be kept with the record.

Today is fixed for necessary order in presence of ld. Advocates for both sides.

The record is taken up for passing order.

On careful perusal of the case record, it appears that the petition under Or.26 R.9 of C.P.C. dated 25.03.2022 filed by the Plaintiff was allowed vide order no.73 dated 20.06.2022 appointing one Samar Banerjee as Engineer Commissioner to hold local investigation in respect of the suit property with a direction to the plaintiff to deposit a sum of Rs.10000/-. Plaintiff accordingly filed a receipt showing deposit of the same vide order no.75 dated 06.03.2023. Thereafter, defendant has filed fresh Vakalatnama today. So, there is no impediment to proceed with the local investigation.

Ld. Engineer Commissioner is directed to hold local investigation of the suit property on 17.02.2025, 24.02.2025 and 04.03.2025 after service of notice upon both parties and their respective ld. Advocates and to submit a report thereof positively on the date fixed.

Issue writ of commission accordingly.

Fix 28.03.2025 for submission of Commission Report.

Dictated and corrected by me,

JUDGE

JUDGE
[5TH BENCH]