

EJECTMENT SUIT NO. 286 OF 2005 [656/2014]
C. N. R. NO. WBPS01-000312-2005
Before Sri Sridhar Chandra Su, Ld. Judge, 5th Bench.

ORDER NO. 82 DATED 08.04.2022

Today is fixed for hearing of the petition dated 04.07.2016 filed by the plaintiff.

Both parties have filed their respective haziras.

Ld. Advocates for both sides are present.

The record is taken up for hearing petition.

Heard ld. Advocates for both sides.

Perused the petition and the materials on record.

It is stated by the ld. Advocate for the plaintiff that the instant suit has been filed, inter alia, on the ground of reasonable requirement and hence local inspection is required to be held to bring on record the accommodation in possession of the plaintiff and the defendant.

Ld. Advocate for the plaintiff, at the time of hearing, has submitted that the instant suit has been filed for eviction of the defendant on the ground of reasonable requirement. That for proper adjudication of the suit, the actual accommodation available to the plaintiff and the defendant should be brought on record.

On the other hand, ld. Advocate for the defendant has not raised any objection.

Considering the submissions of ld. Advocates for both sides, the petition and the materials on record, I find that the instant suit has been filed on the ground of reasonable requirement and for proper and effective adjudication of the instant suit, the prayer for holding local inspection is required to be held.

Hence, it is

Ordered

that the petition dated 04.07.2016 filed by the plaintiff is allowed on contest.

Let Shri TARUN BASU, ld. Advocate of the Local Bar be appointed as an Advocate Commissioner to hold local inspection of the premises in occupation of the plaintiff and the defendant as mentioned in Schedule for inspection in the instant petition after service of notice upon both sides as well as their respective ld. Advocates and to submit a report thereof by the date fixed positively.

Plaintiff is directed to deposit a sum of Rs.6000/- towards commission cost by the date fixed.

Fix 13.05.2022 for payment/deposit of Rs.6000/- towards commission cost by the plaintiff and further order.

Dictated and corrected by me,

JUDGE

JUDGE
[5TH BENCH]
J.O. Code No. WB-00-620.