

T. Suit 31/15(R. 173/15)

Order dated 01-02-2019.

Both parties file hazira. Today is fixed for hearing of plaintiff's petition dated 11-01-19. Heard both sides. Perused the petition as well as other materials on the record. Considered.

Plaintiff has prayed for necessary direction to the partition commissioner for completing the said commission work and to file report within a specified period. The plaintiff has contended that although several dates were fixed for the commission work, no commission could be done as the defendant took adjournments as she is not interested to effect the partition work. Ld. Advocate for the defendant submits that commission work was done on the last date and she is fully cooperating with the Ld. Commissioner. If any of the parties is not cooperating the Ld. Commissioner in his commission work, it is the Ld. Commissioner himself who is the best person to raise the same before this court and seek necessary direction. Instead, the plaintiff has made this application. However, considering the fact that the commission was allowed on 16-03-17, this court of the view that Ld. Commissioner should be directed to complete the commission work within short period and not to grant any unnecessary adjournment to either of the parties. Accordingly, plaintiff's petition dated 11-01-19 is disposed of with the direction to the Ld. Commissioner to complete the commission work shortly and to submit the report thereof.

Fixing 10-04-2019.for filing commission report.

D/c by me,

Civil Judge (Sr. Division)
SCC, Sealdah

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