

TS 31 of 2015
Reg No. 173 of 2015

Order Dated 30/08/2023

Both plaintiff and defendants are represented in court with their ld. Advocates on record. Today is fixed for hearing of application filed by the plaintiff on dated 24/07/2023. Ld. Advocate for the defendant filed written objection against the petition dated 24/07/2023. Ld. Advocate for the plaintiff submitted that Ld. Advocate Nitish Ranjan Mukharjee may be appointed as an advocate commissioner in this case for partition of the suit property. Ld. Advocate for the defendant filed written objection in the said petition filed by Ld. Advocate for the plaintiff. In this case *vide* order dated 17/05/2023 previous Advocate commissioner Sri Biswajit Das has already removed by this court on the prayer of plaintiff and thereafter plaintiff was directed to suggest the name of Advocate commissioner in this case. However since it is a partition suit where rights of both parties have already been ascertained by the court in preliminary decree, partition commissioner can't be appointed at the suggestion of one party. It should be with consent of both parties. Therefore, prayer of the plaintiff for appointment of ld. Advocate Nitish Ranjan Mukharjee as partition commissioner is considered and rejected since defendant files written objection in this matter. Both parties are directed to suggest common name other wise necessary order shall be passed next date.

To **04/10/2023** for filling-up names of ld. Advocate commissioner.

Civil Judge Sr. Divn.
SCC Court Sealdah
JO Code No.WB-00917