

28

04.02.21

Today is fixed for hearing of the petition for local inspection dated 21.01.2021 filed by defendant no. 3 Sushil Maity and SR/AD.

The learned lawyers for both parties are present by filing *hazira*.

The learned lawyer representing the applicant prays for the appointment of a local inspection commissioner to bring the present status of the suit land before this court.

The learned lawyer for the plaintiffs raises objections.

Heard the learned lawyers and perused the case record.

Considered.

It appears that allegedly the defendant no. 1 on 30.09.2020 had transferred the suit land to one Jayanta Jana. The said Jayanta Jana is now making constructions upon such land. According to the applicant the present position of such land should be brought on record.

Now, it appears that the said Jayanta Jana is not a party to this suit. Again, the defendants 1 to 3 have jointly filed their written statement. But the defendant no. 1, without any leave from this court, allegedly transferred such land. Moreover, one local inspection had already been held and the report had been filed on 25.04.2018. In such a backdrop I do not see any merit in the instant application.

Accordingly, the petition is dismissed on contest.

To **12.05.2021** for SR/AD of defendants 8, 14 and 15.

Plaintiffs to take fresh steps.

D/C
Sd/-
(Civil Judge, sr. divn., Kakdwip)

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(Civil Judge, sr. divn., Kakdwip)
UID No. : WB838