

Suit

112

24.09.19

Today is fixed for hearing of the application under order I rule 10 of the CPC filed by one Sakshigopal Bairagi, the application for adopting the written statement by the legal heirs of the erstwhile defendant Dadasi Pramanik, since deceased and the application for local inspection dated 07.09.2019.

Learned lawyers for both the sides are present by filing *hazira*.

Heard both the sides and perused the case record.

Considered.

It appears that no *vakalatnama* has been filed on behalf of the applicant Sakshigopal Bairagi so, the application filed by the learned lawyer Sri Monoj Panda is summarily dismissed.

Since the legal heirs of the deceased defendant Dadasi Pramanik are willing to accept his written statement filed on 02.12.2008 such application stands allowed.

The written statement of Dadasi Pramanik, since deceased, shall be treated as the written statement of the defendants 1/ga and 1/gha.

With respect to the application for local inspection I would like to put on record that the otherside has submitted that he has no objection to such application.

Considering such application I am of the view that the local inspection is necessary for proper appreciation and adjudication of the instant case.

Thus, the application stands allowed on consent.

Sri Pradip Nayek a learned member of the bar, is hereby appointed as the inspection commissioner.

The petitioner is directed to deposit/pay a sum of ₹ 1,500/- towards the fee of the learned commissioner.

Immediately upon such payment the learned commissioner, upon due notice, shall visit the locale and hold the inspection with reference to the points mentioned in the application.

To **13.12.2019** for submission of report by the learned commissioner.

Requisites accordingly.

Dealing assistant to note the fact of adoption of written statement accordingly.

Inform both sides.

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

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(Civil Judge, sr. divn., Kakdwip)