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Ct. 18
18.05.2022

S.A. No. 24 of 2009
I.A. No : CAN 1 of 2008 (Old No : CAN 10717 of 2008)
CAN 4 of 2022

Naosad Ali Seikh
Vs.
Sri Dilip Halder & Anr.

Mr. Sounak Bhattacharya,
Mr. Chandra Nath Sarkar,
Mr. Sounak Mondal ... For the appellant.

Mr. Mukteswar Maity ... For the respondents.

Re : I.A. No : CAN 4 of 2022

This is an application by respondent no. 1 seeking permission to repair one shop room under his possession within the suit property. The appellant is disputing necessity of such repair work of the said shop room.

For the failure of the respondent no. 1 to demonstrate the condition of the said shop room, his prayer for repair of the said shop room was refused earlier in the present appeal vide order dated June 06, 2016.

Mr. Maity, learned advocate for the respondent no.1/applicant prays that a Special Officer may be appointed to ascertain the present condition of the said shop room.

As suggested by Mr. Maity, this Court appoints Mr. Sukanta Chakraborty, a learned advocate of this Court as Special Officer, who shall inspect the said shop room and shall submit a report regarding the

present condition of it, if necessary, with photographs. Such report be filed before this Court on June 10, 2022, when the matter shall appear in the list under the heading “**To be Mentioned**”.

The one-time remuneration of Mr. Chakraborty is fixed at Rs. 15,000/- (Fifteen Thousand rupees only) to be paid by Mr. Maity's client.

Mr. Chakraborty is present in Court and expresses his desire to visit the locale at about 11 A.M. on May 21, 2022. No further notice of the said visit of the Special Officer on the said date need be given to the parties.

The parties shall act on the server copy of this order.

(Biswajit Basu, J.)