

11.03.2021
Court No. 19
Item No.12
CP

C.O. 484 of 2021

Jahedin Sk. alias Jahed Sk. & anr.
vs.
Masiruddin Sk. & ors.

(via video conference)

Mr. Partha Pratim Roy

.....for the petitioners.

This revisional application has been filed by the plaintiff challenging an order dated February 24, 2020, passed by the learned Civil Judge (Junior Division), Additional Court at Jangipur, Murshidabad in Other Suit No. 02 of 2015.

By the order impugned, the learned court below rejected an application for local inspection on the ground that the points required to be inspected were vague and without any material particulars and the requirement for the said inspection was not ascertainable from the application itself.

Having gone through the schedule of the application for local inspection, this court finds that the points mentioned therein cannot be allowed as it would amount to allowing the petitioner to fish out the evidence. It is for the petitioner to prove his case and the aid of the report of local inspection cannot be taken in this regard. The order passed is

discretionary in nature and I do not find any reason to interfere with the same.

Thus the revisional application is dismissed.

There shall be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be given to the parties as expeditiously as possible subject to compliance of all usual formalities.

(Shampa Sarkar, J.)