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16.03.2021
(p.jana)

**IN THE HIGH COURT AT CALCUTTA
CIVIL REVISIONAL JURISDICTION**

(Via Video Conference)

CO No. 547 of 2021

**Dipali Chakraborty & ors.
-versus-
Rabindra Nath Saha & ors.**

Mr. Kaustav Chandra Das,
... for the petitioners.

The decree passed in a suit for eviction of licensee when was put to execution gives rise to Title Execution Case No. 22 of 2009 before the 2nd Court of Learned Civil Judge (Junior Division) at Ranaghat, District : Nadia.

In the said execution case the petitioners filed an application for adjudication of the legality and validity of the decree under execution.

The said application has been registered before the said Executing Court as Misc. Case No. 24 of 2015.

The petitioners in the said misc. case filed an application under Order XXXIX Rule 7 of the Code of Civil Procedure seeking local inspection.

The learned Executing Court has dismissed the said application by the order no. 84 dated March 4, 2020, the impugned order in the instant application under Article 227 of the Constitution of India.

The said application neither discloses the reason for the said local inspection nor it discloses about the property in respect of which such inspection has been sought for.

The Executing Court is absolutely justified in rejecting the said application as it lacks required particulars for holding local inspection.

CO 547 of 2021 is therefore dismissed. No order as to costs.

Urgent photostat certified copy of this order, if applied for, be supplied to the party subject to compliance of all requisite formalities.

(Biswajit Basu, J.)