

11.08.2021
(S/L-11)
Ct.-18
(Susanta)

(Via Video Conference)

C.O. 555 of 2021

Sri Radha Raman Dutta
-Vs-
Satya Kumar Pandit

Mr. Hari Das,
Mr. Ujjwal Trivedi,
Mr. Sujal Dey,
..... For the petitioner.

The revisional application under Article 227 of the Constitution of India is at the instance of the plaintiff in a suit for ejectment and is directed against the order dated February 4, 2020 passed by the Court of Learned Civil Judge (Junior Division), Seladah in the said suit being Ejectment Suit No. 210 of 2018.

The learned Trial Judge by the order impugned has dismissed the application filed by the petitioner for holding local inspection of the suit property on the following points.

- “1. To note the number & names of the Plaintiff’s family members of the Plaintiff and their business.***
- 2. To note whether the suit property/shop room has been subletted or not?***

**3. To note the name of the present
user of the Shop room/suit
property.”**

The learned Trial Judge has dismissed the said application by the order impugned holding that the plaintiff has sought to bring on record the opinion of the commissioner as to whether the suit shop room has been sub-let or not and proposed commission work will lead to fishing out of evidence.

This Court does not find any illegality and/or infirmity in the said finding of the learned Trial Judge warranting interference with the order impugned.

C.O 555 of 2021 is thus dismissed without any order as to costs.

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

(Biswajit Basu, J.)