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SK  
Ct. No. 18  
11.02.2021

**C.O. No. 1065 of 2020  
(Via Video Conference)**

**Sona Devi  
Vs.  
Sk. Naushad & Anr.**

Mr. Subrata Ghosh                      ... For the petitioner.

The revisional application under Article 227 of the Constitution of India is at the instance of the defendant in a suit for ejectment and is directed against the order dated January 21, 2020 passed by the learned Additional Civil Judge, (Junior Division), at Sealdah, District 24 Parganas (South) in the said suit being Ejectment Suit No. 58 of 2017.

The opposite parties are seeking eviction of the petitioner from the suit property on the ground of reasonable requirement.

The opposite parties to demonstrate their extent of occupation in the suit property, in aid of the said ground of eviction prayed before the learned Trial Judge for holding local inspection of the suit property.

The learned Trial Judge allowed the said prayer of the opposite parties.

The commissioner appointed for holding such local inspection completed his inspection and submitted the report.

The petitioner filed an application under Section 151 of the Code of Civil Procedure praying rejection of the said report on the ground that she was not present on the date when the commissioner conducted the inspection as she went to her relative's house for treatment.

The learned Trial Judge by the order impugned has dismissed the said application.

The report of the commissioner has not yet been examined. The petitioner will get ample opportunity to challenge the said report before it is accepted by the Court.

That apart in the said application under Section 151 of the Code there is no challenge as to the veracity of any of the findings of the commissioner in the said report.

The learned Trial Judge, therefore, has not committed any error in rejecting the said application under Section 151 of the Code.

This Court does not find any reason to interfere with the order impugned.

C.O. 1065 of 2020 is dismissed.

No 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.)

