

(05)
30.06.2022
(p.jana)

IN THE HIGH COURT AT CALCUTTA
CIVIL REVISIONAL JURISDICTION

CO No. 25 of 2018
IA No: CAN 1/2019(Old No: CAN 6759/2019)

Master Mohd. Shafi & anr.

-versus-

Sk. Sirajul Rahman

Mr. Chayan Gupta,
Ms. Mudrika Khaitan, ... for the petitioners.

Mr. Supriya Ranjan Saha,
Mr. S. Giri,
... for the opposite party.

Ms. Papri Das,
... As Advocate Commissioner.

The revisional application under Article 227 of the Constitution of India is at the instance of the plaintiffs in a suit for ejectment and is directed against the order no. 37 dated December 05, 2017 passed by the Learned Judge, 6th Bench, Presidency Small Causes Court, Calcutta in the said suit being Ejectment Suit No. 35 of 2014.

The learned Trial Judge by the order impugned has allowed an application filed by the defendant for holding local inspection of the 3rd and 4th floor of the suit premises.

Since one of the grounds of eviction is the personal requirement of the plaintiffs, this Court does not find any reason to interfere with the order impugned.

The said inspection was directed long back as such to expedite the commission work this Court by the order dated June 27, 2022 directed the Advocate Commissioner appointed by the order impugned to be present before this Court, in compliance thereof the said learned advocate Commissioner is present before this Court today.

The commissioner is directed to inspect the suit premises on next **Friday (08.07.2022)** in terms of writ of commission and to complete the commission work on the said date.

Learned counsel for the parties waive service of formal notice of commission upon their respective clients.

The parties shall supply relevant papers to the learned Commissioner within this week.

The defendant is required to pay to the commissioner additional fees of **Rs. 5,000/- (Rupees Five Thousand only)**, such payment is to be made within five days from date.

The Commissioner shall file her report on the next date fixed in the suit.

Further appearance of the Commissioner is dispensed with.

In view of nature of the suit, the learned Trial Judge is requested to expedite its disposal and in doing so shall not grant any unnecessary adjournment to either of the parties.

C.O. 25 of 2018 is **disposed of** with the above terms without any order as to costs.

**Re : IA No: CAN 1/2019(Old No: CAN 6759/2019)
(appropriate order).**

This is an application for expeditious disposal of the present revisional application. In view of the aforesaid order no further order need be passed on the application.

IA No: CAN 1/2019(Old No: CAN 6759/2019) is therefore disposed of accordingly without any order as to costs.

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

(Biswajit Basu, J.)