

S/L 30.01.
1. 2024.
Ct.655

**IA No.: CAN/2/2024
in**

C.O. 1048 of 2015

**Samiuzzman Khan & Ors.
Vs.
Sri Baijnath Singh**

**Mr. Debasis Sur
Mr. Anshuman Patra
Mr. hare Krishna Halder
....for the opposite party.**

**Mr.Sourav Sen
....for the Special Officer.**

Petitioner is not represented.

Mr. Debasis Sur, learned Counsel appearing on
behalf of the opposite party is present.

In pursuance of the direction passed by this
Court dated 24.01.2024 learned Special Officer submitted
his report contending that he handed over possession of
the suit property to the opposite party as directed by this
Court and after receiving the said possession opposite
party put his own padlock in the entrance gate of the suit
property.

It appears that the instant application has been
preferred by the appellant under Article 227 of the
Constitution of India challenging the order dated
24.2.2015 passed by the learned First Appellate Court in
connection with Mis. Appeal being No. 6 of 2011. An
s.g.

application is taken out at the behest of the petitioner in this revisional application with a prayer for recalling the order dated 11.10.2023 passed by this Court wherein learned Special Officer was directed to unlock the padlock so put the suit property on 29.10.2023.

Today report has been submitted by the learned Special Officer which reveals that possession in respect of the suit premises has already been handed over to the opposite party.

So, I find nothing remains with the revisional application filed by the petitioner and the same becomes infructuous.

Accordingly, C.O. being No. 1048 of 2015 is hereby dismissed.

Consequently the application being CAN 2 of 2024 is also dismissed.

There will be no order as to costs.

Report submitted by the learned Special Officer be kept with the record.

Opposite party is directed to pay remuneration of Rs. 10,000/- to the Special Officer appointed by this Court.

(Prasenjit Biswas, J.)

