

20.06.2024
(D/L-16)
Ct.-19
(Susanta)

IN THE HIGH COURT AT CALCUTTA
CIVIL REVISIONAL JURISDICTION

C.O. 2116 of 2024

Tarun Chakraborty
-Vs-
Himadri Sekhar Ghosh @ Mantu Ghosh & Anr.
Mr. Parashar Baidya,
... For the Petitioner.

The tenant/defendant in a suit for eviction being Title Suit no. 652 of 2018 is the petitioner of the instant application under Article 227 of the Constitution of India.

The petitioner is aggrieved by the order no. 52 dated April 9 of 2024 whereby the learned Trial Judge has dismissed the applications filed by the petitioner for repair of the suit property and for appointment of an Advocate Commissioner to hold local inspection to ascertain the condition of the suit property.

The learned Trial Judge has held that permitting the petitioner to repair the common areas will be allowing him to use the area beyond his occupation particularly when such occupation is disputed.

The suit is pending since 2018 and it has reached to a matured stage, the Trial Judge, therefore, has rightly dismissed the said applications.

The order impugned does not call for any interference.

C.O. 2116 of 2024 is therefore dismissed without any order as to costs.

Parties to act on the server copy of this order duly downloaded from the official *website* of this Court.

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.)