

02.09.2024
Item No.35 ML
Ct.19
A.J.

**IN THE HIGH COURT AT CALCUTTA
CIVIL REVISIONAL JURISDICTION**

C.O. 2634 of 2024

Smt. Minati Jhulki

-Vs-

Sri Nitai Jhulki & Ors.

Mr. Kajal Mukherjee,
Mr. Bikash Chakraborty.

.....for the petitioner.

Mr. Gopal Chandra Ghosh,
Mr. Rajkrishna Mondal,
Ms. Sunandana Saha.

.....for the opposite parties.

This is an application under Article 227 of the
Constitution of India.

The Order No.16 dated June 06, 2024 passed by the
learned Civil Judge (Senior Division) at Haldia, District :
Purba Medinipur in connection with *Title Suit No. 167 of 2023*
is under challenge.

The petitioner is the plaintiff of the connected suit.

The learned Trial Judge by the order impugned has
dismissed an application under Order XXXIX Rule 7 of the
Code of Civil Procedure holding that when the picture of the
suit plot and the pathway thereto are *prima facie* clear to the
Court, there is no necessity of inspection, as prayed for.

The learned Trial Judge has come to the said finding
on the basis of the materials on record; therefore this Court
does not find any reason to interfere with such finding(s).

The order impugned does not call for any
interference; C.O. 2634 of 2024 is dismissed without any order
as to costs.

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

(Biswajit Basu, J.)