

In The High Court At Calcutta
Civil Revisional Jurisdiction
(Appellate Side)
C.O. 2783 of 2024

Injamul Haque Sardar
Vs.
Mayajjem Hossain Gharami & Ors.

Mr. Bidyut Kr. Halder,
Mr. Indranil Halder ... For the petitioner.

Mr. Haradhan Banerjee,
Mr. A. Pain,
Mrs. Manideepa Paul Roy,
Mr. P. P. Mukhopadhyay ... For the opposite parties.

The plaintiff in a suit for partition is the petitioner of the instant application under Article 227 of the Constitution of India, and is directed against the order dated July 06, 2024 passed by the 7th Court of learned Civil Judge (Senior Division) at Alipore, District: 24 Parganas (South), in the said suit being *Title Suit No. 117 of 2015*.

The petitioner had prayed for local inspection of the suit property to demonstrate that the defendants have changed the nature and character of it by violating the order of injunction passed in the suit.

The learned Trial Judge by the order impugned has refused the said prayer of the petitioner holding *inter alia* that since there is no material before the Court to detect the condition of the suit property prior to the grant of the order of injunction, the inspection of suit property to detect its present condition would serve no purpose.

This Court does not find any illegality and/or infirmity in the said finding of the learned Trial Judge, warranting interference with the order impugned.

C.O. 2783 of 2024 is thus dismissed without any 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.)