

21.08.2024
Item No. 6, DL
Ct.19
A.J.

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

C.O. 2945 of 2024

Runu Rani Patra

-Vs-

**Shree Shree Damodar Jew, Shree Shree
Manasa Devi Jew, Shree Shree Laxmi
Devi Jew, represented by Sebait Tarak
Chandra Das & Ors.**

Mr. Kartick Kumar Bhattacharya,
Ms. Soumashree Dutta,
Ms. Papiya Naskar.

.....for the petitioner.

Mr. Anindya Halder,
Mr. Soumyadip Sinha.

.....for the opposite party no.1.

The instant application under Article 227 of the Constitution of India is at the instance of the defendant no.2 in a suit for partition and is directed against Order No.24 dated July 03, 2024 passed by the learned Civil Judge (Senior Division), serampore, District : Hooghly in the said suit being *Title Suit No. 52 of 2014*.

The learned Trial Judge by the order impugned has dismissed two applications filed by the petitioner one for amendment of the written statement and the other for holding local inspection of the suit property.

It appears from record that facts sought to be incorporated by way of amendment are already in the additional written statement of the petitioner, therefore, the amendment sought for is not unnecessary.

The petitioner has prayed for holding local inspection of the suit property to demonstrate that the plaintiff in violation of the order of injunction passed in the suit is obstructing his ingress and egress in the common passage.

The local inspection cannot be resorted to prove such alleged violation of the order of injunction; therefore, the said order also does not call for any interference.

C.O.2945 of 2024 is thus dismissed without any order as to costs.

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

(Biswajit Basu, J.)