

26.02.2024
Item No.8
gd/ssd

CO/3347/2023
SRI SUKHEN BANERJEE
VS
RATNA SAHA & ORS.

Mr. Animesh Paul
Ms. Haardikaa Rajdev
..for the petitioner.

The plaintiff in a suit for declaration of tenancy right and permanent injunction has filed this application praying for appointment of an inventory commission.

The petitioner says that the defendant-opposite party herein has put a padlock on the main entrance door in violation of the order of injunction.

It appears from the Commissioner's report that both the parties have put their padlock on the main entrance door.

The learned trial judge rightly noted that apart from a few items most of the items mentioned in the list of articles appended to the application for local inspection do not find place in the original plaint.

It appears to this Court that the petitioner is trying to fish out evidence in the garb of appointment of an inventory commissioner.

The learned Trial Judge, in my considered view, was right in rejecting such application.

This Court is not, therefore, inclined to interfere with the order impugned.

CO 3347 of 2023 stands dismissed.

There will be no order as to costs.

Urgent certified copy of this order, if applied for, be given to the learned advocates for the parties on usual formalities.

(HIRANMAY BHATTACHARYYA, J.)