

28.11.2025
Ct. No. 06
Sl. No.21
Cp

C.O. No. 4036 of 2025

Ujjal Kanti Samanta
Vs.
Nimai Charan Manna & Anr.

Mr. Debasis Sur
Mr. Amitava Chowdhury

.....for the petitioner.

The petitioner submits that although an application under Order 39 Rule 7 of the Code of Civil Procedure was allowed sometime in June, 2025, the advocate commissioner who was appointed has been changed on two or three occasions, which has delayed the process of local inspection.

According to the petitioner, the local inspection is required to ascertain whether the order of injunction had been violated or not. This court is not inclined to express any opinion on the submissions on merits made by the petitioner. However, this court is of the view that justice would be subserved if the commission work is expedited without any further delay. The suit has also not progressed much.

As no adverse direction is passed against the opposite parties, the matter can be disposed of in their absence.

Under such circumstances, the learned court is requested to make a sincere endeavour to ensure that the commission work is completed within the next two months from the date of communication of this order.

The petitioner will be at liberty to pray for preponement of the date, so that the date for commission and filing of the report can be fixed in terms of this order.

The revisional application is disposed of accordingly. There shall be no order as to costs. A copy of this order and the revisional application be served upon the opposite parties and/or their learned Advocate.

Parties are to act on the server copy of this order.

(Shampa Sarkar, J.)