

**ORDER ON I.A NO.I FILED BY PETITIONER UNDER ORDER
XXVI RULE 13 R/W SECTION 151 OF CPC**

This application is filed under Order XXVI Rule 13 r/w Section 151 of CPC seeking to appoint Court Commissioner to survey the suit property and submit the report.

2. In the accompanying affidavit, it is contended that the suit was filed for the relief of partition and separate possession which was decreed and no appeal is preferred as on this date. Hence, this I.A.

3. The present FDP proceedings is filed seeking on the basis of decree passed in O.S No.729/2016 on 27.03.2023 by this Court. The judgment reads as follows;

ORDER

The suit of the plaintiff is hereby decreed.

The plaintiff and the defendants each entitle for 1/5th share in the suit schedule properties.

No order as to costs.

Draw preliminary decree accordingly.

4. As per Order XXVI Rule 13 of CPC in order to carve out the shares of the plaintiff and defendants to give effect to the preliminary decree passed by the Court, appointment of Court Commissioner is necessary. Hence, this Court proceeds to pass the following;

ORDER

I.A.No.I filed under Order XXVI Rule 13 r/w Section 151 of CPC is hereby allowed.

ADLR is hereby appointed as Court Commissioner to survey the suit properties.

Commissioner fee is fixed at Rs.3,000/-.

For steps on I.A No.I by 14.07.2026.

***Sd/-
IV Addl. Civil Judge & JMFC,
Belagavi***

24.06.2026