

22-01-2026:

ORDER ON IA No.I

This application filed Under Order 26 Rule 13 of CPC by the petitioner praying for appointment of ADLR, Bailhongal as Court Commissioner for demarcation of property R.S. No.348/3 measuring 4 acres 12 guntas of Naganur village, Tq: Bailhongal, in that he entitled for 26 guntas as per the preliminary decree drawn in O.S. No.325/2023.

In the accompanying filed in support of the application by the petitioner, it is stated that he is entitled for 26 guntas in the property R.S. No.348/3 measuring 4 acres 12 guntas of Naganur village as per judgment and decree passed in O.S.No.325/2023. Therefore, it is necessary to appoint the ADLR, Bailhongal as Court Commissioner to inspect and suggest the scheme of partition in the said suit property.

On the other hand, the learned counsel for respondents submitted that he has no objection to allow IA No.I.

On perusal of the application, decree dated 03-07-2024 passed in O.S. No.325/2023 on the file of this Court, and considering nature of the property involved, this Court of the opinion that the appointment of ADLR, Bailhongal as Court Commissioner is just and proper for the purpose of carrying out the partition as per decree passed in O.S. No.325/2023. Because the ADLR, Bailhongal being competent and conducting authority he is suitable to be appoint as Court Commissioner for the purpose of conducting local inspection preparing a map and suggesting a physical scheme of partition in confirmed with the share declared in the decree. So, I proceed to following:

ORDER

IA No.I filed Under Order 26 Rule 13 of CPC by the petitioner is hereby allowed.

The Assistant Director of Land Records (ADLR), Bailhongal is hereby appoint as Court commissioner to:

1. Conducting local inspection of the suit property.
2. Prepare a sketch/map.

3. Suggest a scheme of partition in accordance with the decree drawn in O.S. No.325/2023 dated 03-07-2024, decree signed on 06-07-2024.

The Court Commissioner is directed to submit his report within 60 days from the date of receipt of this order. The parties are directed to extend necessary co-operation during the commission proceedings.

Court commissioner fee is fixed at Rs.2,000/-.

On depositing Court Commissioner fee office to issue commissioner warrant if necessary PF paid. Returnable by 12-03-2026.

Senior Civil Judge,
Bailhongal.