

KABG300003502023



**IN THE COURT OF THE SENIOR CIVIL JUDGE,
BAILHONGAL, AT: BAILHONGAL**

Dated this the 25th Day of June 2026

PRESENT:

Sri. Ravi Babu Chawan
B.A. LL.B.,
Senior Civil Judge, Bailhongal.

F.D.P. No.13/2023

1) Smt. Babita W/o Dayanand Panalkar
and others.

..... Petitioners

(By Shri. A.I.A., Advocate)

- Vs. -

1) Shri. Ujwal S/o Subhaschandra Mirajakar and others.

..... Respondents

(By Shri. V.S.H., Advocate for R1 and R2)
(R3 to R10: Absent)

PARTIES TO IA No.III

1) Smt. Babita W/o Dayanand Panalkar and others

.....Applicant/Petitioner

- Vs-

1) Shri. Ujwal S/o Subhaschandra Mirajakar
and others.

..... Opponents/Respondents

ORDERS ON IA No.III

This application filed under Section Order XXVI Rule 10 R/w Section 54 and 151 of CPC by the applicants/petitioners praying for appointment of ADLR Bailhongal as Court Commissioner for demarcating in the suit agricultural land bearing R.S. No.3/2 measuring 2 acres 20 guntas, situated towards northern side of suit survey number, out of R.S. No.3/2 measuring 5 acres 10 guntas of Belawavi village, Tq: Bailhongal.

2. In the affidavit filed in support of the application, the petitioner No.2 has contended that they are entitled for 1/ 6th share each in the suit property, as per the preliminary decree drawn in O.S. No.87/2018 passed on 12-04-2022. Therefore, it is necessary to appoint of ADLR Bailhongal as the Court Commissioner to inspect and suggest the scheme of partition in the said property.

3. On the other hand, the learned counsel for respondent No.1 and 2 submitted that he has no objection to allow the IA No.III.

4. Heard the learned counsel for petitioners. Perused the material on record.

5. The following point would arise for my consideration is;

“ Whether the petitioners have made out sufficient grounds to allow IA No.III?”

6. My answers to the above point is in the ***Affirmative.***

REASONS

7. On perusal of the application, decree dated 12-04-2022 passed in O.S. No.87/2018 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.87/2018. Because the ADLR, Bailhongal being competent and conducting authorities, they are 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.III filed Under Order XXVI Rule 10 R/w. Sec. 54 and 151 of CPC by the petitioners 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.87/2018 Dated 12-04-2022.

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

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

(Dictated to the stenographer directly on computer system, corrected by me and then pronounced in the open Court on this the 25th Day of June, 2026)

(Ravi Babu Chawan)
Senior Civil Judge, Bailhongal.

