

Ex. 1/2020

*The present execution petition has been filed seeking execution of the judgment and decree passed in **O.S. No. 641/2017**, whereby a decree for **specific performance of contract** was granted.*

During the execution proceedings, a Court Commissioner was appointed to execute the sale deed in favour of the Decree Holder. However, the Commissioner has reported that the warrant could not be executed as the schedule property has not yet been surveyed/photod and recorded in the revenue records. Unless the property is properly identified and reflected in the revenue sketch, the sale deed cannot be executed.

As on this date, there is no certainty as to when the survey proceedings will be completed and the revenue sketch will be prepared. Therefore, this Court is of the opinion that the Commissioner's warrant cannot be executed at present.

*Accordingly, the present execution petition is **closed**, reserving liberty to the Decree Holder to file a fresh execution petition after completion of the survey and demarcation of the suit schedule property or upon the property being duly identified in the revenue records.*

*Office is directed to **close the file**.*

Sd/-

Prl. Senior Civil Judge & J.M.F.C

Devanahalli