

L/c for respondents submit that he has no objection to allow the IA.No.1. Heard and perused.

IA.No.1 is filed by the petitioner U/s.151 of CPC, seeking for appointment of A.D.L.R., Mudigere as Court Commissioner to survey, demarcate and propose the scheme of partition of the respective shares in the decree schedule properties as per the compromise decree passed in O.S. No. 114/2020.

The present petition is filed for drawing final decree of partition and separate possession as per the compromise decree passed by this Court in O.S.No.144/2020. There is nothing on record to show that the said decree is either stayed or set aside by the Hon'ble Appellate Court. Moreover, in view of Karnataka Amendment to Section 54 of CPC, the final decree is to be drawn by this Court on the report of a revenue officer not below the rank of Tahsildar or such other person as the court may appoint as commissioner. The decree properties are the agriculture lands assessed to revenue, hence this Court considers it necessary to obtain report from the A.D.L.R, Mudigere with respect to division and scheme of partition of the decree schedule

properties as per the preliminary decree passed by this Court, accordingly the following:

ORDER

I.A. No.1 filed under Sec.151 of CPC is hereby allowed.

A.D.L.R., Mudigere, is hereby appointed as Court Commissioner to propose the scheme of partition of the suit scheule properties as per the respective shares of parties allotted as per the decree passed by this Court in O.S. No. 114/2020 and submit report thereon.

Office to intimate this order to A.D.L.R., Mudigere by enclosing all relevant documents so as to enable the said Court Commissioner to submit his report as per this order at the earliest.

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

For commissioner report by: 20.07.2023

Sd/-

(VISHWANATH.A)
ADDL. CIVIL JUDGE & JMFC.,
MUDIGERE