

Petitioner counsel filed I.A.No.1 U/O. 26 Rule 13 of CPC. R.4 not filed objection.

Heard the learned counsel for the petitioner. For orders.

Sd/-
Sr. Civil Judge and JMFC.,
Mudigere.

Sri HJD advocate for petitioner has filed I.A.No.1 U/O.26 Rule 13 of CPC and prays to appoint Taluk Surveyor, Mudigere to effect partition is respect of item No.1 to 7 and to appoint PWD engineer, Belur to effect partition is respect of item No.8 as per the Preliminary Decree passed in O.S.15/2021.

The respondent No.1 to 3 absent. Respondent No.4 not filed objection.

Heard, the learned counsel for the petitioner. Perused the petition and decree passed by this court in O.S.No.15/2021.

The present final decree proceedings are initiated by the petitioner to divide the properties as per Judgment and decree passed by this court in O.S.No.15/2021 dated 29.04.2025. Now the petitioner has filed this IA.No.1 seeking to appoint court commissioners to divide the properties.

The respondent No.1 to 3 remained absent. Respondent No.4 not filed objection. Thus it is clear that the judgment and decree passed by this court has attained its finality and there is no stay. As such in order to execute the preliminarily decree it

is necessary to allow the application. Accordingly, I pass the following:

ORDER

The Taluk Surveyor, Mudigere is appointed as Court commissioner to divide the item No.1 to 7 of the petition schedule properties as per judgment and decree passed in O.S.No.15/2021.

Further, the PWD engineer, Belur is appointed as Court commissioner to divide the item No.8 of the petition schedule properties as per judgment and decree passed in O.S.No.15/2021.

The court commissioners fee is fixed at Rs.2,000/- each is tentatively fixed.

The petitioner is directed to deposit the commissioners fee.

Issue commissioners warrants if memo of instructions and commissioners fee is deposited and documents are furnished R/by 06.01.2026.

Sd/-
Sr. Civil Judge and JMFC.,
Mudigere.