

IN THE COURT OF THE PRL. CIVIL JUDGE AND J.M.F.C AT TARIKERE
ITINERATE AT AJJAMPURA

Ex.No.08/2024

DECREE HOLDER

vs.

JUDGMENT DEBETOR

Sri. R. Srinivas @ R. Srinivasarao

Sri. Y.V. Krishnamurthy, Since dead,
Rep his Lrs. Y.V. Thimmaiah and others

Date: 05.02.2026

Proceedings or Orders of the Judicial Officer

ORDERS ON IA.No.V

- 1.** The instant application is filed by the Applicant/ Decree Holders under Order XXXVI Rule 10(a) r/w. Section 151 of C.P.C with the prayer to appoint an Advocate as a Court Commissioner to execute the sale deed in respect of the suit schedule property in terms of the decreed passed in O.S.No. 257/2015, dated 28.01.2019 through the process of the Court.
- 2.** The Decree Holders have filed the main petition for the execution of decree passed in OS.No.257/2015.
- 3.** The above suit came to decreed on merits with the Court passing a decree in favour of the Plaintiff directing the Defendants to execute the registered sale deed in favour of the Plaintiff. Since, the Defendants who are the JDRs in the present petition has not executed the registered sale deed in favour of the Decree Holder, the Decree Holder has filed this petition. Perused the application, main petition and decree passed in OS.No.275/2015.

4. The Judgment Debtors have remained absent in the case.

5. Satisfied with the reasons given by the Decree Holder in the application. Since the decree has been passed by this Court, it is just and necessary to execute the decree by executing registered sale deed in favour of the Decree Holder. This Court has got ample powers to execute the registered instruments in case of failure of the JDRs to do the same within the stipulated time. The Court can also delegate the execution of the instruments to any of the Court Officer or through a Court Commissioner as per Order XXI Rule 34 of C.P.C. Accordingly, I proceed to pass the following -

ORDER

I.A.No.V filed by the Applicant/ Decree Holder under Order XXVI Rule 10(a) r/w Section 151 of C.P.C is hereby allowed.

Sri. HCS, Advocate is appointed as Court Commissioner, to execute the sale deed, as suggested by the Decree Holder.

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

The Applicant/ Decree Holder is directed to deposit the same before this Court, forthwith.

To furnish draft sale deed. Call on - 26.02.2026.

sd/-

Prl. Civil Judge and JMFC.,
Tarikere.
(Itinerate at Ajjampura)