

**ORDER ON APPOINTMENT OF COURT
COMMISSIONER.**

Advocate for petitioner pressed to appoint court commissioner as for prayer sort in main petition.

Advocate for respondents have submitted that they have no objection to appoint Court Commissioner to effect partition as per preliminary passed in OS No.63/2017.

On perusal of records it appears that it is a petition has filed by petitioners seeking drawing final decree as per preliminary decree passed in OS No.63/2017.

Herein this case, the petitioners sought to appointment of the Tahasildar Kundgol as a court commissioner for actual bifurcation and demarcation of the petitioners 1/8th share.

After registering the petition the notice of the petitioners are duly served upon the respondents in turn the respondent No.3 and 4 are placed exparte. The respondent No.1 and 2 reported to be dead. The legal heirs of respondent No.1 and 2 brought on record and they represented their respective counsels.

Herein this case also there is no materials on record to show that appeal if any against judgment and decree passed in OS No. 63/2017 is pending.

In view of above facts I feel there is no impediment to appoint the Court Commissioner to demarcation of petitioners 1/8th share as per preliminary decree passed OS No.63/2017. So, I proceed to pass the following;

ORDER

Thahasildar Kundgol is appointed as Court commissioner for the demarcation of the petitioners share as per preliminary decree passed in OS No.63/2017.

Court commissioner fee is fixed at Rs.1,000/-

Petitioners are directed to deposit court commissioner fee.

Issue commissioner warrant after, depositing commissioner fee and necessary process is paid.

Await on for commissioner report by 31-08-2019.

Sd/-
Civil Judge & JMFC,
Kundgol,

