

ORDERS

The DHR has filed this petition for appointment of the court commissioner to execute the registered sale deed in her favour.

2. The DHR had filed O.S.No.61/2015 for the relief of specific performance of the contract. The said suit was came to be decreed vide decree dated 07.01.2016.

3. Upon the service of the notice, the JDRs have appeared before the court through their counsel and filed objections. It is their contention that at the time of execution of agreement of sale deed, JDR No.4 and 5 were minors and they have not obtained any permission from the court. E khata has not been issued by the Panchayath. Schedule property is the granted property in favour of JDRs. Accordingly, prayed to dismiss the petition.

4. Heard both the parties.

5. It is to note here that the DHR herein had filed suit vide O.S. No.61/2025 against the JDRs. As per the decree, it can be seen that JDR No.1 to 3 had appeared

before the court through their counsel. Further, the JDRs have not produced any documents to show that they have preferred an appeal and the decree passed in OS No.61/2015 is set aside. Hence, the decree passed by this court still in force. As such, the contention of JDRs cannot be considered. Hence, there is no reason to dismiss the application filed by the DHR for appointing a Court Commissioner. Hence, I proceed to pass the following;

ORDER

Application filed by the DHR is hereby allowed.

To suggest the name of the Court Commissioner and for fixing the Court Commissioner fee by: 22.07.2026.

Prl. Civil Judge and JMFC.
Sakaleshpura.