

ORDER ON IA.3 to 5

The petitioner counsel has filed the applications No.3 to 5 U/o 26 rule 13 r/w 151 of CPC for seeking the order to appoint the Taluka Surveyor to measure and demarcate the suit item No.2 of the B-Schedule property as a court commissioner.

Another application filed by the petitioner for appointment of an advocate to measure and demarcate the suit item No.3 and 4 of the suit schedule properties as a court commissioner.

Another application filed by the petitioner for appointment of City Surveyor to measure and demarcate the suit item No.1 of the Schedule-B properties as a court commissioner.

I peruse the IA No.3 to 5 filed by the petitioner, the applicant has made out sufficient grounds to allow the applications filed by the petitioner. Hence, it is necessary to appoint an advocate in respect of the suit schedule item No.3 and 4 properties and also for appoint the Taluka Surveyor in respect of suit item No.2 property and also the City Surveyor is necessary to appoint court commissioner for demarcate and measure the item No.1 property in view of the preliminary decree passed by this court. Hence, I proceed to pass the following.

ORDER

The application No.3 to 5 filed by the petitioner are hereby allowed.

The Taluka Surveyor is appointed as a court commissioner to measure and demarcate the share of the item No.2 of the

suit schedule-B property in view of preliminary decree.

The advocate is appointed as a court commissioner to measure and demarcate the share of the item No.3 and 4 of the suit schedule-B property in view of preliminary decree.

The City Surveyor is appointed as a court commissioner to measure and demarcate the share of the item No.1 of the suit schedule-B property in view of preliminary decree.

The counsel for the parties directed to suggest the name of the advocate for the purpose of appointing the court commissioner.

The petitioner is directed to pay the court commissioners fee of Rs.2,000/- each.

The both side counsels are directed to submit the memo of instructions if any.

For comply the order.

By 07-04-2021

Sd/-

Prl. C.J. & I Addl. JMFC,
Ranebennur.