

ORDER

The petitioners have filed application U/o 26 rule 13 R/w sec.151 of CPC.

2. The applicants/plaintiffs have contended that, in order to make partition of suit properties appointment of Court Commissioner is necessary. On the said grounds the applicants have prayed for appointing the court commissioner for making division of the suit properties as per the decree passed in O.S No.24/2021.

3. Respondents have not filed any objections to the present application.

4. Heard the arguments.

5. Perused the records. It appears that the petitioners/plaintiff No-1 and 2 were granted 1/3rd share each in the suit properties.

6. Hence in order to make the division of the suit properties the appointment of court commissioner is necessary.

Hence the application filed by the petitioners is hereby allowed.

The ADLR of Afzalpur is appointed as Court Commissioner for submitting the proposal for division of suit item No-1 and 2 properties bearing

Survey No.414/1 measuring 11 acre 4 gunta of land situated at Mannur village.

Survey No.424/A measuring 9 acre 35 gunat of land situated at Mannur village.

The advocate of Afzalpur is appointed as Court Commissioner for submitting the proposal for division of suit item No-3 property bearing House No-2/3 and 2/4 situated at Mannur village.

as per the preliminary decree passed in O.S No.24/2021. The court commissioners are directed to make necessary divisions in the suit properties for giving 1/3rd share each to the petitioner No-1 and 2 in the suit properties as per the preliminary decree and to submit his report. The ADLR court commissioner is at liberty to take necessary help of the surveyor for the commission work.

The ADLR commissioner fee is tentatively fixed at Rs.1,500/-.

The advocate commissioner fee is tentatively fixed at Rs.1,500/-

For payment of commissioner fee and PF and name of the
advocate.

By 03-07-2025.

Senior Civil Judge & JMFC.,
Afzalpur.