

**ORDER ON COURT COMMISSIONER
REPORT**

The learned advocate for the defendant has filed objections to the report submitted by the Court commissioner i.e., Assistant Director of Land Records, Mulbagal.

2. The learned advocate for defendant in his objection contended that the commissioner report is not in accordance with joint memo of instruction submitted by the parties. The commission work has been conducted on the basis of the Tippany of the year 1964 and not on the basis of the Moola Tippany, which reflects the actual physical extent of the land. Although the defendant suggested to the Court Commissioner the correct boundaries of the disputed property, the Commissioner failed to consider the said suggestion. The actual measurement of the disputed property is 13 acres and 3 guntas, inclusive of 23 guntas of karab land. However, the Court Commissioner has shown only 8 acres 8 guntas, which is exactly the same extent as stated by the plaintiff in the plaint.

3. The learned advocate for the Plaintiff has filed a rejoinder to the objections filed by the Defendant, denying the contentions raised therein and supporting the report submitted by the Court Commissioner.

4. The Court have heard the arguments from both sides and perused the Court commissioner report.