

ORDERS ON IA No.II

The Learned counsel for the Dhr has filed an IA No.II under section 22 of Specific Relief Act R/w Section 151 of CPC seeking issue direction to ADLR, Malavalli Taluk to prepare the 11E-sketch in respect of petition schedule property.

The Dhr has filed an sworn affidavit in support of application wherein, he had filed a suit against Jdr in OS No.73/2023 for the relief of specific performance of contract. The parties are compromised the dispute. Accordingly, the compromised decree was passed. Without durasthi and phode cannot register the sale deed. **Hence, filed this application.**

The Jdr is absent and not contest the petition.

Heard Dhr side.

This court has perused the material available on record. The Dhr herein had filed a suit in OS No.73/2023 before this court against the Jdr for the relief of specific performance of contract. The said suit was compromised. Accordingly, the compromised decree was passed. The Jdr has not comply the terms and conditions of compromise petition. Hence, the Dhr has filed this petition for enforcement of decree. This court already appoint the court commissioner for execute the sale deed in favour of Dhr. The court commissioner

returned the draft sale deed for want of 11E-sketch. Hence, the Dhr has filed present application. The court commissioner is authorized to file the representation before revenue authority for prepare the 11E-sketch. Hence, the present application filed by the Dhr is not maintainable. Hence, this court has proceed to pass the following:

ORDER

IA No.II filed by the Dhr under Section 22 of Specific Relief Act R/w section 151 of CPC is hereby dismissed with cost of Rs.200/-.

However, it is made clear that, the court commissioner is authorized to file request before revenue authority for prepare the 11E-sketch.

For further steps by

**Senior Civil Judge and JMFC.,
Malavalli.**