

The petitioner has filed the application I.A No.I U/o 26 Rule 9 R/w 54 of CPC seeking for the appointment of the PWD engineer as court commissioner to fix shares and boundaries and also prepare the sketch of suit schedule item No.1 to 4 and PWD engineer to divide item No.5 to 7 of schedule properties. In support of the said application, the applicant has also filed affidavit and for the reasons stated in the Affidavit he prayed to allow the application.

The respondents have not opposed the application by filing objections.

Admittedly, the judgment and decree passed in O.S.No.46/2011 reached finality and for the demarcation of the suit schedule properties as per the

decree it is necessary for the appointment of the court commissioner. Hence, I find sufficient grounds to allow the application.

The item No.1 to 4 of schedule properties are the agricultural lands hence the Taluk Surveyor, attached to the office ADLR and since item No.5 to 7 of schedule are house properties PWD enigneer, H.D.Kote is appointed as commissioner to fix shares and boundaries and also prepare the sketch the said properties as per preliminary decree.

The commissioner fees are tentatively fixed at Rs.2000/-.

Issue commission warrant to the aforesaid commissioner if fee is deposited and P.F. is paid.

Call on : 05.02.2025

Senior Civil Judge and J.M.F.C
H.D.Kote.