

**IN THE COURT OF ADDL. SENIOR CIVIL JUDGE AND JMFC., AT
HUNSUR,**

**Presided Over by Bhagyamma
B.com. L.L.B.,**

Dated, this the 8th day of July 2025

Ex.No.42/2024

Decree Holder : Smt. Manjula

.Vs.

Judgment Debtors : Sri B.V. Ramaswamy & others

IA No.I

Applicant : Smt. Manjula

.Vs.

Opponents : Sri B.V. Ramaswamy & others

ORDER ON IA.NO.I

The applicant / Dhr has filed this application under Order 26 Rule 10(B) of CPC praying to appoint Sri Shivanna, Advocate, Hunsur as Court Commissioner to execute the sale deed in favour of the Decree Holder as per the decree passed in OS.No.233/2022.

2. In the affidavit annexed to the application the Decree Holder has contended that the judgment debtors have not shown any interest to the decree of this court. Hence, she has filed this petition for execution of decree. The judgment debtors have not at all showed any interest to execute the sale deed in her favour in respect of suit schedule property as per the decree. Hence, it is very much necessary to appoint a court commissioner to execute the sale deed in her favour

pertaining to suit schedule property. If the application is not allowed, she will be put to great hardship, loss and inconvenience. On the other hand no prejudice will be caused to the judgment debtor in any manner if this application is allowed. Hence prayed to allow the application.

3. The judgment debtors have not filed any objection to the said application.

4. Perused the materials available on record. Perused the grounds urged in the affidavit annexed to the application and are satisfactory one. Consequently, the court is of the opinion that if the court commissioner is appointed it is justifiable. Further, the learned counsel for Decree Holder has also mentioned the name of Sri Shivanna, Advocate, Hunsur praying him to appoint him as Court Commissioner. Hence the reasons stated in the application is acceptable and accordingly, court proceeds to pass the following:

ORDER

The application filed by the decree holder under Order 26 Rule 10(B) R/w Sec.151 of C.P.C is hereby allowed.

Sri Shivanna, Advocate, Hunsur is hereby appointed as Court Commissioner to execute regular sale deed in favour of decree holder in respect of execution petition schedule

property.

Parties to the petition are hereby directed to furnish memo of instructions and relevant documents to the commissioner.

Commissioner's fee is fixed at Rs.2,000/-.

Issue Commissioner Warrant if PF and Commissioner Fee deposited.

Call on for compliance by _____

08.07.2025
**Addl. Senior Civil Judge & JMFC.,
Hunsur.**

ORDER

Sri M. Adarsha, Advocate is hereby appointed as court commissioner.

Commissioner's fee is fixed at Rs.2,000/- to be payable by the DHR.

Court commissioner is hereby directed to execute the registered sale deed in favour of DHR with respect to the suit property as per the terms of the decree passed in O.S.No.5/2017, dated 22.04.2021.

Counsel for DHR is hereby directed to furnish draft sale deed by

16.03.2024
**Addl. Civil Judge & JMFC.,
Hunsur.**