Ex.No.8/2025

ORDER ON I.A.I

The decree holder filed application under Order XXVI Rule 9 r/w Section 151 of C.P.C. to appoint the Sheristhedar of this court as court commissioner to execute the redemption of mortgage deed as per the decree. The said application is not opposed. The sworn statement indicates that, one suit of O.S.167/2023 was filed and it was decreed on 17.02.2024. As per that order, the decree holder has deposited the mortgaged amount before this court and now the redemption of mortgage deed is to be executed, but the judgment debtor has not come forward to do so. Hence, he filed the application to appoint the Sheristhedar as court commissioner to execute redemption of the mortgage deed. Since the application is not objected, as per the decree of the court the redemption of mortgage deed has to be executed by the judgment debtor, but she has not come forward to do so. Therefore the said redemption of mortgage may be executed by the court through Sheristhedar. Therefore, I.A.I is allowed by appointing the Sheristhedar as court commissioner to execute the redemption of mortgage deed.

Issue commissioner warrant if P.F. paid. To report the execution of redemption of mortgage deed, call on 23.08.2025.

Senior C.J. & JMFC.,
Nanjangud.
18.07.2025