

**ORDERS ON IA No.I FILED UNDER SECTION 54 R/W 151 OF
CPC**

The present application is filed by the petitioner by seeking appointment of Tahasildhar Sirwar Taluk with the assistance of ADLR, Manvi as Commissioner to effect partition as per preliminary decree. Along with the application the affidavit is also filed by the petitioner in support of the application.

The application is filed by the petitioners seeking appointment of court commissioner to effect partition as per the preliminary decree passed in Judgment and Order dated 14.10.2022 arising out of OS No.186/2016.

After due service of notice on main petition, except the respondent No.1 all other respondents are not appeared before the court as such they placed absent. No objections were filed to the present IA or to the main petition by the respondent no.1 who appeared through his counsel.

Learned counsel for respondent No.1 filed memo along with copy of appeal memo in RA No.67/2024 on the file of Hon'ble II Additional District and Sessions Judge, Raichur. But on perusal of the same there is no stay of the Judgment and Decree passed by this Court in OS No.186/2016.

Heard the learned counsel for the petitioner. The judgment passed in OS No. 186/2016 dated 14.10.2022 does not appeared to have been set aside by the appellant Court. There is no stay of the

Judgment and preliminary decree. The respondents chosen to be absent and not filed any objections. Hence there should not be any legal impediment to allow the present application as such the following order is passed:

ORDER

“The IA-I filed under Order Section 54 R/w 151 of CPC is hereby allowed.

The ADLR, Manvi is appointed as the Court Commissioner for effecting partition in accordance with the preliminary decree passed in OS No.186/2016 dated 14.10.2022.

The Commissioner fee of commissioner is tentatively fixed at ₹.2000/-.

The office is hereby directed to issue Commissioner Warrant to the court commissioner if P.F. is paid and Commissioner fee is deposited.”

Await report.

Call on : 09.07.2026.

Senior Civil Judge & JMFC,
Manvi.