

Reg. Dkt No.178/2018
(Motilal Lachore Vs Rushikesh Borhade)

MHAH140014952022



ORDER BELOW EXH.21

1. This is an application for re-measurement of suit property as per decree passed in RCS No. 824/2016. The Decree Holder contended that as per order dated 11/09/2019 T.I.L.R., Newasa conducted measurement of suit property and filed it's report in court on 29.07.2020. However, said measurement was not conducted as per the decree. The T.I.L.R. in map has shown only 1 R encroachment on the property of decree holder but, there is 12 R encroachment on the property of decree holder by judgment debtor. However, T.I.L.R. shown less encroachment therefore, the measurement conducted on 29.07.2020 is not accepted by decree holder. Hence, he prayed to give directions for re-measurement or fresh measurement to Deputy Superintendent of Land Record.

2. In-spite of sufficient opportunity judgment debtor failed to filed their say on this application. I have gone through decree in RCS No. 824/2016. As per said decree D.S.L.R. is directed to demarcate boundaries of respective areas of plaintiffs and defendants in Gat no. 916 at Newasa Kd. The measurement previously conducted and map prepared by T.I.L.R. is not accepted to decree holder. From record it reveals that there is no appeal or stay order against decree in respect of which present execution petition is filed. Hence, I pass following order.

ORDER

1.	The application at Exh. 21 is allowed.
2.	The Deputy Superintendent of Land Record is directed to demarcate the boundaries of respective areas of plaintiff and

	defendant in Gat no. 916 situated at Newasa Kd., Tal. Newasa, Dist. Ahmednagar.
3.	The Decree Holder shall bear the costs and expenses of demarcation and fixation of boundaries of the suit property.
4.	Issue letter to the Deputy Superintendent of Land Record, Tal. Newasa, Dist. Ahmednagar.

Date – 19/06/2025

(Sandhya Y. Sul)
2nd Jt. Civil Judge, Junior Division,
Newasa, Dist. Ahmednagar