

**ORDER BELOW EXH.19**

Heard. Perused application filed by plaintiffs for appointing court commission to inspect condition of suit property. Defendants strongly objected by filing say.

02. It is contended by plaintiffs that, they are owner of suit property. Defendants are his neighbors. They are illegally trying to take possession of suit property. Hence, they prayed for appointment of T.I.L.R. for bringing actual condition of suit property on record.

03. It is contended by defendants that, this application is filed only for collecting evidence, plaintiffs have filed this false application. Hence, prayed for rejection of it.

04. Ongoing through the application, say and argument advanced by both the sides, it seems that the plaintiffs have filed present suit for perpetual injunction. The plaintiffs sought the measurement of the suit property through T.I.L.R., Rahuri. It is well settled principle of the law that the T.I.L.R., Rahuri can be appointed as court commissioner for boundary dispute and allegation of encroachment. It is therefore, present application needs to be allowed. In the result, I proceed to pass the following order:-

ORDER

- i. The application is allowed.
- ii. The T.I.L.R., Rahuri is appointed as Court Commissioner and he is hereby directed to do joint measurement of gat no. i.e. Gat No.469/1 adm. 1 H 87 R and gat No. 480 adm. 2 H 22 R situated at Mauje Pathare Khurd, Tal. Rahuri, Dist. Ahmednagar and measure after taking into consideration of all the facts and circumstances having regard to the division record in respect of the suit land and fix the boundaries thereof and he shall submit his report showing encroachment, if any, alongwith a map within 3 months from the date of this order.
- iii. The Plaintiffs are directed to pay the Commissioner's fee in the office of T.I.L.R. itself within two weeks.
- iv. Issue Commission writ to the Court Commissioner on payment of fees by the plaintiff in the T.I.L.R. office and depositing of the receipt in the Court accordingly.

Date: 09/03/2026.

(**Smt. Anupama C. Parshetti**)
Jt. Civil Judge Junior Division,
Rahuri.