



**ORDER PASSED BELOW EXH.13**

The decree holder has filed the present application for appointment Court Commissioner to measure the suit property and to hand over possession of encroached area i.e. 0.12 HR of the suit property situated at Mauze Kautha Sopinath, Tq. Murtizapur, Dist. Akola as per the decree passed by this Court in RCS No.104/1999. The judgment debtor failed to filed say. Hence, application is proceeded without say of J.D.

(2) Perused the application and record. Heard.

(3) Now, the present darkhast is pending for handover the possession of 0.12 HR i.e. encroached area situated at Mauze Kautha Sopinath, Tq. Murtizapur, Dist. Akola to the D.H. with the help of the Court Commissioner and the present application is filed for appointment of Court Commissioner. Therefore, for the purpose determining the four boundaries of the encroach area of the suit property and for handing over its peaceful possession to the D.H. an appointment of Court commissioner is essential as prayed for by D.H. In the backdrop of aforesaid discussion, the application deserves to be allowed. Hence, the order :-

**ORDER**

1. Application (Exh.13) is allowed.
2. Cadastral Surveyor i.e. (T.I.L.R. Murtizapur), Murtizapur is hereby appointed as Court Commissioner who shall after following due procedure, carry out measurement of the suit

property mentioned in decree passed in RCS No. 104/1999, show its four boundaries with the help of concerned bailiff of the said encroached area, if required. He shall accordingly prepare a detailed map and report showing all these aspects.

3. The Court commissioner shall file his report within 90 days from the date of receipt of writ of commission.
4. The costs of commission and process fees shall be borne by the decree holder alone. Accordingly, he shall deposit the commission fees as per rules and procedure in the concerned office within 14 days from today and shall file receipt thereof in the Court.

(Dictated and pronounced in open court)

**Date : 17.06.2025.**

**(A.G.Tamboli)  
C.J.J.D., Murtizapur**

**CERTIFICATE**

I affirm that the contents of this P.D.F. File Order/Judgment are same, word to word, as per the original Judgment/Order.

Name of the Steno	P. J.YADAV
Name of the Court	CJJD & JMFC, Murtizapur
Date of Order & Judgment	17.06.2025
Order/Judgment Signed by the P.O. on	17.06.2025
Order/Judgment uploaded on	19.06.2025