



Order below Exhibit 8 in R.C.S. No. 05/2020

This is an application filed by the plaintiffs for appointment of Court Commissioner to measure the suit property.

- 2) Defendants have given say on this application.
- 3) Heard arguments of both sides. It is contention of the plaintiffs that the defendants have demolished the wall of suit house property. Therefore, the plaintiffs have filed suit for mandatory injunction. It is necessary to bring the measurement and situation of the suit property on record by appointment of court commissioner.
- 4) From the plaint and application it appears that the plaintiff is owner and possessor of ancestral house bearing M.C. property No. M-28 (Old No. 706). The employee of defendant No.2 demolished northern side wall of the suit property. The plaintiffs want to bring this situation before the court. As the suit is for permanent injunction as well as mandatory injunction for direction to reconstruct the demolished portion, the situation of the suit property will have to come before the court. Therefore, the application deserves to be allowed. In the result, I pass the following order :

ORDER

- I) T. I. L. R., Ahmedpur is appointed as Court Commissioner
- II) The Court Commissioner is directed to inspect the suit property, take its measurement and show the situation of suit property by sketch map.

- III) The Court Commissioner to complete the commission work within a period of four months from receipt of commission writ.
- IV) Plaintiffs to supply necessary documents in respect of suit property to the Court Commissioner.
- V) Plaintiffs to deposit necessary Court Commissioner's fees in concerned office.
- VI) After furnishing receipt in respect of payment of commissioner's fees, issue commission writ accordingly.

Date :- 17/11/2022.

(P. A. Savadikar)
Civil Judge S. D. Ahmedpur
District Latur.