

R.C.S. No. 426/2015
Vimalbai Vs. Executive Engineer

Order below Exh. No.26.

1. This is an application for appointment of court commissioner by the plaintiff. This is the suit for encroachment. It appears that as per the case of plaintiff the defendant has made encroachment over the 20 R land in Gat No. 395. It is contended that in order to ascertain the encroachment the measurement of land in Sy./Gat No. 395 is necessary. The learned counsel for defendant by filing say contended that the land in Sy. No. 395, 389 and 392 were acquired therefore joint measurement of all the Sy./Gat number is necessary. The learned counsel for plaintiff has filed pursis at Exh. No. 28 contending that he is ready for measurement of all Sy./Gat number. Having regard to the contents in application and say in my opinion in order to ascertain the encroachment, the measurement of Gat/Sy. Number 395, 389 and 392 is necessary. Hence following order.

Order

1. The application is allowed.
2. The Dy. S. L. R. Nilanga is appointed as Court Commissioner to carve out the encroachment made by defendant.
3. The Dy. S. L. R Nilanga shall measure the Sy./Gat No. 395, 389 and 392 of village Nitoor, Tq. Nilanga and

thereafter submit the detail report.

4. The plaintiff shall deposit the court commission fees with the concerned office within 7 days from the date of this order.
5. Issue writ accordingly.

Sd/-

Date:-16-11-2018.

(N. G. Vyas)

2nd Jt. Civil Judge, J. D.,
Nilanga.