

MHND180012412024



RCS No.110/2024

Shankar Vs Anupriya

Exhibit No.13

ORDER BELOW EXH.13

(Passed on 17/07/2026)

The plaintiff has filed this application under Order 26 Rule 9 of CPC for appointment of TILR as court commissioner for carrying out the joint measurement land belonging to plaintiff and defendant bearing Gut No.32 situated at village Ganeshpur, Tq. Kinwat, Dist. Nanded. The defendant has strongly opposed the application stating that the same is moved with sole intent to collect evidence.

02. Perused application, say (Exh.16) filed thereon and record of case. Heard learned advocates for both parties.

03. The plaintiff has instituted this suit for declaration and possession of alleged encroached portion of land from the defendant. The Lands belonging to plaintiff and defendant bearing Gut No.32 are adjacent to each other. It is alleged by the plaintiff has made encroachment upon his 20 R land from eastern side. The defendant in her written statement has denied the alleged encroachment. Thus, the issue of encroachment is involved in this matter. Therefore, to ascertain the encroachment, if any, the assistance of expert is necessary. Hence, it would be appropriate to appoint the Taluka Inspector of Land Records as a Court Commissioner to carry out the joint measurement. Accordingly, I proceed to pass following order;

ORDER

- 1) Taluka Inspector of Land Records, Kinwat is hereby appointed as Court Commissioner who shall carry out the joint measurement of lands belonging to plaintiff and defendant bearing Gut No.32 situated at village Ganeshpur, Taluka- Kinwat, District- Nanded by due notice to all concerned and by following applicable rules and shall prepare the measurement map showing therein the area of encroachment, if any, and shall submit his report as early as possible.
- 2) Plaintiff shall bear and deposit the requisite cost of commissioner in advance.
- 3) Parties shall supply necessary documents and shall co-operate the court commissioner.
- 4) Writ be issued accordingly.

(Dictated and pronounced in open court)

Date : 17/07/2026.
Place : Kinwat.

(K.G. Mendhe)
Civil Judge Junior Division,
Kinwat.

CERTIFICATE

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

Name of the Stenographer : S.M.Chitmalwar

Court name : Court of Joint Civil Judge J.D. Kinwat.

Date : 17.07.2026

Order signed by the

Presiding Officer on : 17.07.2026

Order uploaded on : 17.07.2026
