

Final Decree No.4/2023
Jaytula ..Vs .. Vitthal

ORDER BELOW EXH.1

(Passed on the 1st November,2023)

Perused the application. Heard learned Adv. B.S.Mane for applicant. The applicant is legal heir of deceased Jaytula Rushi Wasnik who was original plaintiff in R.C.S. No.118/2007. Death certificate of original plaintiff is filed on record. Perused the Judgment and Decree passed in Reg. Civil Suit No.118/2007. It appears that, the original plaintiff declared entitled to ½ share in the suit properties. Non-applicant no.1 appeared in response of notice. He failed to file his reply. Non-applicant no.2(a) to 2(c) failed appeared before court despite of due service notice. Non-applicants have not raised any objection to this application.

2. This is preliminary decree for partition of agricultural lands assessed to revenue, as per Section 54 of Civil Procedure Code partition in metes and bounds ought to be effected by the Collector. Hence the following order :-

ORDER

1] Precept under Section 54 of Civil Procedure Code alongwith copy of Decree be sent to the Collector for effecting partition of agricultural land Gat No. 81, 110, and 111 situated at Mouja Pusagondi, Tah. Umrer,Dist. Nagpur, in terms of preliminary Decree passed in R.C.S. No. 118/2007 dated 08.07.2009.

2] Proceeding be taken off the file.

Umrer
Date :01.11.2023

(J.M. Mistry)
Jt. Civil Judge (Jr.Dn.),
Umrer