

ORDER BELOW EXHIBIT 5 IN
REG. CIVIL SUIT NO. 264/2017

The plaintiffs have filed application for appointment of Court Commissioner. They have averred that they are owners and possessors of lands Block No. 348, 349 and 350. The defendants No. 1 to 6 are owners and possessors of land Block No. 347. The defendants No. 1 to 6 have encroached in plaintiffs' land Block No. 348 from northern and eastern side to the extent of 5 R, in land Block No. 349 from eastern side to the extent of 4 R. and in Block No. 350 from eastern side to the extent of 11 R. The defendants are not giving consent for measurement of the suit land. The plaintiffs have filed suit for recovery of possession. Therefore, it is necessary to appoint T.I.L.R. as Court Commissioner and to measure the land. The plaintiff is ready to pay the charges of measurement.

2] The suit proceeded ex-parte against defendants No. 1 to 7.

3] Perused the plaint. The plaintiffs averred that the defendants have encroached on the plaintiffs' land as mentioned here-in-above. Therefore, the plaintiffs have filed suit for recovery of possession of the encroached portion and for perpetual injunction. Considering the nature of suit and averrments of the plaintiffs it is necessary to appoint TILR as Court Commissioner.

ORDER

[1] The application is allowed.

[2] The plaintiffs are directed to deposit the fees of court commission with the office of T.I.L.R., Sinnar.

[3] The T.I.L.R., Sinnar is directed to measure the suit property

bearing Block Nos. 347 to 350, situated at village Musalgaon,
Tal. Sinnar, Dist. ashik.

[4] The T.I.L.R. is directed to show the encroachment, if any, in
the plaintiffs' land and submit his report along with map
within 15 days from the date of receipt of this order.

[5] Issue writ accordingly.

Place : Sinnar.

Date : 18.12.2021

Sd/-xxx

(Smt. C.V. Shirsat),
Civil Judge, Junior Division,
Sinnar.