

ORDER BELOW EXH.11

The plaintiffs have filed present application seeking the appointment of T.I.L.R. as a court-commissioner for measurement of Gat No.149/3, ad-measuring 04 H, situated at village Mahatpuri, Tal. Gangakhed.

2. The plaintiffs submitted that they have carried out private measurement wherein it was transpired that defendants have encroached upon suit property to some extent. Hence, in order to get ascertained the plaintiffs intend to get measured the suit property at the instance of T.I.L.R. Hence, prayed accordingly.

3. The defendants submitted to have no objection for the measurement.

4. Hence, considering the nature of suit and say filed by defendants, the measurement of the suit property found necessary to arrive at logical conclusion of the suit. So the intervention of expert is warranted. Accordingly, the application deserves to be allowed. Hence, I pass the following order:

ORDER

1. Application is allowed.
2. T.I.L.R., Gangakhed is hereby appointed as a Court-Commissioner.
3. The T.I.L.R., Gangakhed is directed to carry out the measurement of Gat No.149/3 to the extent of 04 H land, situated at village Mahatpuri, Tal.Gangakhed, Dist.Parbhani.
4. The T.I.L.R., Gangakhed is further directed to submit the clear report as to any encroachment on suit property.
5. The plaintiff is directed to deposit the requisite fees at the office of T.I.L.R., Gangakhed, and file its receipt on record.
6. The T.I.L.R., Gangakhed shall submit the report within three months from the date of deposit of requisite fees by the plaintiff.

7. The T.I.L.R., Gangakhed shall ensure the presence of both the sides for measurement by advance notice.
8. Accordingly, writ be issued.

Date:- 11.03.2022

(**A.R. Sayed**),
Civil Judge, Senior Division
Gangakhed.