

**ORDER BELOW EXH.21 IN SPL.CIVIL SUIT NO.99/2015**

1. This application is filed by plaintiff for appointment of Court Commissioner. He contended that defendants had encroached upon his suit land and constructed toilets admeasuring 10 ft. x 10 ft. & 18 ft. x 12 ft. In 2009, he had conducted survey of the said land through Deputy Superintendent Land Record. Thus, he prayed that Court Commissioner be appointed to measure the land.

2. Defendants failed to file their say, hence, application proceeded without say of defendants.

3. Heard Ld. Advocate for plaintiffs. Perused the record. This is the suit for possession by removal of encroached area and for declaration and for perpetual injunction. In the present suit, defendants have failed to file their say hence, suit proceeded without say of defendants. Plaintiff contended that he has appointed surveyor. He further contended that defendants had constructed toilets for their Hotel and Bar on the suit property. Thus, this being the suit for removal of encroachment on his suit property, hence, it is necessary to measure the land by Government surveyor. Thus, I pass the following order.

**:: ORDER ::**

1.	Application is allowed.
2.	Deputy Superintendent Land Record, Panvel is hereby appointed as Court Commissioner.
3.	Deputy Superintendent Land Record, Panvel is directed to measure the suit property and submit the report

	within two months from today.
4.	Plaintiffs to pay the charges of commission directly with office of Deputy Superintendent Land Record, Panvel and supply the documents to them for measurement.
5.	Issue writ of commission accordingly.

Panvel.

Date : 04-04-2026.

(Nayomi P. Pawar)

Civil Judge, Senior Division Panvel.