

**ORDER BELOW EXHIBIT NO.19 IN R.C.S. NO.10/2017.**

(Passed on 05/08/2019)

(CNR NO. MHRG 1600-0056-2017)

This is a suit for removal of encroachment. By this application, plaintiff prayed to appoint Taluka Inspector Land Records, Pali-Sudhagad as Court Commissioner to measure suit property.

02. According to plaintiff, the property bearing city survey No.40/5 ad-measuring 1-35-0 H-R and city survey No.40/4 ad-measuring 0-3-0 H-R is the suit property. The defendant No. 01 and 02 committed encroachment over suit property and constructed house. So plaintiff has filed this application for appointment of Taluka Inspector Land Records, Pali-Sudhagad as Court Commissioner.

03. Defendants have strongly objected the application and prayed to reject the application.

04. Heard both sides, perused the record. It is seen that, the plaintiff has instituted suit for removal of encroachment contending that he is the owner of the suit property and defendant committed encroachment over it. The defendant's have denied the said position. Considering the nature of the suit it is desirable to get the suit property measured through the T.I.L.R. to ascertain the

actual fact of encroachment. It would only facilitate the Court to come to a just and proper conclusion. In result following order is passed :-

**ORDER**

- i. The application Exh.19 is allowed.
- ii. The Taluka Inspector of Land Records, Pali, Tal. Sudhagad, is hereby appointed as Court Commissioner to measure the suit property, ascertain it's boundaries and to file their report alongwith map in respect of the alleged encroachment, if any, with proper specifications and measurements, by following the prescribed procedure within two months from the receipt of the order.
- iii. The plaintiff is hereby directed to deposit the commission fees and the requisite documents in the office of T.I.L.R. itself in order to save the time and to report about the due compliance by a pursis to that effect on or before next date.
- iv. In case of any unreasonable and unnecessary delay on part of the plaintiff would render this order to be vacated.
- v. Both parties to take note.

**Place : Pali-Sudhagad.**  
**Date : 05/08/2019.**

**(C. U. Shipkule)**  
**Civil Judge Junior Division Pali.**