

ORDER BELOW EXHIBIT 66 IN FINAL DECREE NO. 03/2019

This final decree is arising out of judgment and decree passed in R.C.S. no. 96/2008 and R.C.A. no. 76/2014. The present application is filed by the applicant for appointment of Court Commissioner in order to suggest partition of the house properties.

02. Non applicants has objected the application by submitting that application is wrong and illegal. Non applicants have no objection to appoint Court Commissioner for suggesting partition of the suit properties but it is submitted by them that Court commissioner be directed to suggest partition of the house properties amongst applicant and non applicant.

03. Considering submission made by the parties and after persuing judgment in R.C.A no. 76/2014, it is just and proper to appoint Court commissioner to suggest partition of the house properties amongst the applicant and non applicants. It is necessary to appoint Court commissioner to give effect to the preliminary decree passed in R.C.S. no. 96/2008. In such situation, following order is passed.

∴ ORDER ∴-

1. The Ld. Advocate Smt. N.V. Mayekar is hereby appointed as Court commissioner in consultation with both sides.
2. The Ld. Court Commissioner is hereby directed to visit the house properties and to suggest mode and options of the partition amongst the parties as per their shares declared in judgment and decree by following procedure

and to report this Court.

3. The applicant is hereby directed to deposit Court commissioner fee of Rs. 4,000/- before this Court.
4. After depositing charges of Court commissioner, letter be issued to the concern Court Commissioner for commission work accordingly.

Date : 13/09/2022

Place : Malvan.

Amardeep D. Tidke
Civil Judge Junior Division Malvan.