

ORDER BELOW EXH. NO. 5 IN R.C.S. NO. 261/2010.

Perused the application. Even though, say has not been filed by the defendant to this application independently. It appears that in the written statement the defendants have objected the application. If the plaint is prima facie perused, it appears that allegations of encroachment are made and it is alleged that defendant being the adjacent land holder of the said gat number. They are trying to encroach over the land of plaintiff. From the 7/12 extract, it appears that gat No. 105/1 and gat No. 105/2 stands in the name of plaintiff. Considering this aspect, measurement by expert can help the Court come to the specific conclusion with respect to fact whether there is any alleged encroachment. Hence, I proceed to pass the following order :-

:: O R D E R ::

- 1** Application is partly allowed.
- 2** TILR, Pandharpur is hereby appointed as a Court-commissioner to measure land Gat No. 105, situated at Mauje Shendagewadi, Tq. Pandharpur, and filed report whether there is any encroachment over the said land.
- 3** The TILR shall filed report alongwith map.

- 4 The plaintiff shall comply necessary documents and with respect to necessary expenses of measurement directly at office of TILR.
- 5 Issue Commission Writ accordingly returnable till 01.03.2017.

Date : 19.01.2017.

(S.T. Shinde),
Vth Jt. Civil Judge J. D., Pandharpur.

C E R T I F I C A T E

I affirm that the contents of this PDF file Judgment/ Order is same word to word as per the original Judgment.

- a Name of the Stenographer : Shri. P.T. Jadhav
- b Court : 5th Jt. C.J.J.D.& J.M.F.C.,
Pandharpur.**
- c Date of Order : 19.01.2017**
- d Order signed by P.O. on : 19.01.2017**
- e Order uploaded on : 20.01.2017.