

Regular Civil Suit No. 13/2008

Shahaji Kadam vs. The Collector

ORDER BELOW EXH.87

The plaintiff has submitted the application that before examination of plaintiff evidence of court commissioner/measurer be recorded.

2. On this application, other side has submitted say that proper order may be passed.
3. R.C.S. No. 13/2008 is for measurement, fixation of boundaries and perpetual injunction. Court commissioner's report is submitted below Exh.78. As per Order XVIII, Rule 3-A, where a party himself wishes to appear as a witness, he shall so appear before any other witness on his behalf has been examined, unless the Court, for reasons to be recorded, permits him to appear as his own witness at a later stage. The suit is for measurement and fixation of boundaries. Court commissioner's report is on record below Exh.78. Therefore, evidence of measurer/court commissioner is required to be recorded before evidence of the plaintiff on a condition not to fill up the lacuna from the evidence of the plaintiff.

Place - Malshiras.
Date - 16/11/2022.

(**U. V. Joshi**)
Civil Judge Senior Division,
Malshiras.

C E R T I F I C A T E

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

- (a) Name of the Stenographer : **N. N. Konda, Grade-II**
- (b) Court : **Civil Court Senior
Division, Malshiras.**
- (c) Judgment signed by P.O. on : **16.11.2022.**
- (d) Judgment uploaded on : **16.11.2022.**