

ORDER BELOW EXH.4 IN RCS NO.650/2022

(Passed on 25/11/2024)

Plaintiffs have submitted application for measurement and division of gat number suit property along with fixation of boundaries.

2. In short it is application that defendant are trying to create encroachment to the suit property. There is apprehension that defendants have committed encroachment. Therefore, measurement and division of gat number along with fixation of boundaries is necessary.

3. Heard learned advocate of plaintiff. As per order below Exh.1 date 04/07/2024, suit against defendants No.1, 4 to 18, 20, 22 to 25, 28 is proceeded ex-parte, suit against defendants No.3 21, 26, 29 and 30 is dismissed in default and suit against defendants No.2 and 19 is abated.

4. Considering nature of the suit, it will be just and proper to allow application in respect of measurement and division of gat number. After evidence of the surveyor measurement of suit property will be fixed. Hence, in the result, I pass the following order:-

2 RCS NO.650/2022(EXH.4)

ORDER

1. The Deputy Superintendent of Land Records, Malshiras is appointed as court commissioner and to measure the suit property and properties of defendants jointly and to show a division of gat number of plaintiffs suit property.
2. The commissioner is directed to specifically mention in report and map the encroached portion of the suit property if he found.
3. Fixation of boundaries will be decided after evidence of surveyor.
4. Plaintiffs shall bear cost of surveyor.

Sd/-

Date-25/11/2024.

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