

**RCS No.1225/2022**

Vasant Shivdas Jadhav  
v. Sthavar Vyavasthapak & Ors.  
CNRNOMHSO100037192022

**ORDER BELOW EXH.44**  
**(Passed on 23/01/2024)**

The plaintiff has submitted application to measure the suit property mentioned in plaint clause No.1 A to 1C by Deputy Superintendent of Land Records of Malshiras.

2. Defendant No.1 has submitted his say below Exh.51. He has no objection to measure gat No.350 of defendant No.1 and 351 of the plaintiff and for fixation of boundaries of both parties. During measurement if encroach is found then should be mentioned specifically and be considered the measurement map of measurement case No.82, date 03/10/2022. On the other side, the learned advocate of plaintiff submitted that there is temple and big tress and road which is adjacent to the suit property

3. Considering submissions of both parties to resolve the dispute, it is necessary to pass the following order:-

**2 RCS NO.1225/2022(EXH.44)**

**ORDER**

1. To measure suit property and property of defendant jointly on expenses of plaintiff, Deputy Superintendent of Land Records of Malshiras is appointed as court commissioner.
2. He shall following directions :-
  - A. While measurement of the the suit property and property of defendant No.1 he shall consider big tress, temple and adjacent road to the suit property and to consider a map of measurement case No.82, dated 03/10/2022.
  - B. Fix boundaries as per the measurement. If, he found an encroachment then specify it in its report.
  - C. Issue writ accordingly.
3. Till report of measurement interim order below Exh.5 is continued.

**3 RCS NO.1225/2022(EXH.44)**

4. The commissioner shall submit its report within one month from the date of receipt of writ.

Sd/-

Date-23/01/2024.

(U.V.Joshi)

Civil Judge, Senior Division, Malshiras.