

ORDER BELOW EXH.NO. 8.

The plaintiffs filed the application for appointment of court commissioner under Order 26 Rule 9 of the Code of Civil Procedure for measurement of the suit property.

2. Read application. Defendants did not file their say. Hence, no say order passed against them. Heard for the plaintiffs. Perused the record.

3. The plaintiffs instituted this suit for measurement of suit property, fixation of boundaries and permanent injunction.

4. It is submission of the plaintiffs that, the field Gut No. 358/1 & 358/2 old Gut No. 358 and 356 admeasuring 2.10 H.R. Potkharab 0.10 H.R. & 0.53 H.R. and 3.22 H.R. Potkharab 0.12 H.R. are owned by the plaintiffs. Therefore, there is dispute between the plaintiff and defendants about the boundaries of their field properties. Therefore, it is prayed that, court commissioner be appointed to Deputy Superintendent of Land Record to measure the fields and fix the boundaries of the suit fields of the plaintiffs.

5. Having heard both the sides and on perusal of record it appears that, there is dispute about boundaries of the field of the plaintiffs and defendants. Therefore, the matter is required to be elucidated by the appointment of a court commissioner to competent authority. Hence, I pass following order:

ORDER

1. The application is allowed.
2. The Dy.S.L.R. Malshiras is appointed as a court commissioner to visit and measure the fields of plaintiff i.e. Gut No.358/1, 358/2 and 356 situated Mauje Kholve, Taluka Malshiras, Dist. Solapur admeasuring 2.10 H.R. Potkharab 0.10 H.R., 0.53 H.R. and 3.22 H.R. Potkharab 0.12 H.R. as per rule.
3. The court commissioner is directed to measure fields and fix the boundaries as above and submit his report as to the measurement and encroachment if any on or before 12.01.2026.
4. Plaintiff to deposit necessary fees for court commissioner.
5. Issue commissioner letter accordingly to the court commissioner.

Date :- 25.11.2025

(Aaditya A. Vyas),
2nd Jt. Civil Judge Junior Division,
Malshiras.

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

(a) Name of the Stenographer :- S. T. Korbu

(b) Court :- 2nd Jt. Civil Judge Junior Division and
Judicial Magistrate First Class, Malshiras.

(c) Judgment/Order signed
by PO on :- 25/11/2025.

(d) Judgment/Order uploaded
on :- 25/11/2025