

ORDER BELOW EXHIBIT- 42 IN R.C.S.No.687/2011

Plaintiff has filed the present application for granting police protection to carry out the work of measurement.

2. It is asserted that T.I.L.R. Barshi has been directed by this court to measure land Gat Nos. 959 & 960. Plaintiff has shown the western boundaries of said land to the measurer. Defendants have not shown the eastern boundaries to the measurer and obstructed his work. Hence, he was unable to carry out the measurement, as directed by this court. He has asked for granting police protection to carry out the work of measurement. Plaintiff is ready to pay the necessary charges. Hence, the application.

3. Defendants have filed their say and opposed the application. According to them, application is false. Serious offences are registered against the plaintiff. There is no need to grant police protection. T.I.L.R. Barshi would carry out the measurement. Plaintiff has filed the present application to influence the villagers by calling the police. Defendants have not obstructed the work of measurement. Ultimately, they have prayed for rejecting the application.

4. Perused the record and proceeding. Heard both the sides. It may be noted here that there is no dispute that an order to carry out the measurement was already passed by this court. D.S.L.R. Barshi has informed this court vide its report (Exhibit-41) that the defendants have told him that measurement of eastern side should not be carried out. There is no land of the plaintiff on the eastern side. Plaintiff has already measured his land on 08.02.2008 and

the said measurement is admitted to him. It is clear from the report of D.S.L.R. Barshi that the defendants have obstructed the work of measurement. In view of the above, present application is not without merit. No prejudice would cause to the defendants if the measurement is carried out under police protection. It is necessary to make it clear that police protection is granted to carry out the measurement work and not to aid or help any of the parties to the suit. Hence, the order.

ORDER

1. Application is allowed.
2. Police protection be given to carry out the measurement of land Gat Nos. 959 & 960 situated at Khandvi Taluka Barshi.
3. Plaintiff is directed to deposit the necessary charges/fee before the concern police station.

Date : 23.08.2016

(S.K. Khan)
Jt. Civil Judge (J.D.),
Barshi.

CERTIFICATE

I affirm that the contents of this P.D.F. file Order are same word to word as per original Order.

Name of Stenographer: Bhaskar G.B.

Court Name : S.K.Khan,
Jt.C.J.J.D.& J.M.F.C. Barshi

Date : 23.08.2016

Order signed by the
presiding officer on : 23.08.2016

Order uploaded on : 25.08.2016