



**ORDER BELOW EXH.27**

This is an application filed by the Decree Holders for appointment of Court Commissioner under Order XXVI Rule 9 of the Code of Civil Procedure for measurement, demarcation and delivery of possession of the suit property.

2. The present execution proceeding is filed for enforcement of the judgment and decree dated 26.02.2015 passed in R.C.S. No. 15/2008. Thereafter, final decree has been passed on 19.10.2024, whereby the shares of the parties have been determined and partition of the suit property has been effected by metes and bounds as per Commissioner report and map forming part of the decree.

3. On perusal of record, it appears that though possession warrant was issued earlier, actual possession could not be delivered due to absence and non-cooperation of the Judgment Debtor and difficulty in proper demarcation of the suit property at the time of execution. It further appears that the bailiff has returned the warrant without execution. Despite sufficient opportunity, the Judgment Debtor has failed to appear and contest the present application.

4. Considering the necessity of proper measurement and demarcation for effective execution of the final decree and to avoid further obstruction, it is just and expedient to appoint a Government

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Officer as Court Commissioner. Therefore, the application deserves to be allowed. Hence, I pass following order-

**ORDER**

1. Application is hereby allowed.
2. The Taluka Inspector of Land Records (TILR), Seloo is hereby appointed as a Court Commissioner to measure, demarcate and identify the portion of the suit property allotted to the Decree Holders as per final decree dated 19.10.2024 passed in R.C.S. No. 15/2008.
3. He is directed to issue notice to both the parties.
4. The Decree Holder shall deposit the requisite fees with the concern Office of Court Commissioner and supply required documents to him.
5. The Commissioner is directed to furnish the report of commission within period of one month from the receipt of writ.
6. Parties are directed to supply necessary documents to D.I.L.R. at the time of measurement of the suit property.
7. Commission writ be issued accordingly.

Date : 02.04.2026

( Shailesh R. Satbhai )  
Civil Judge Junior Division,  
Seloo.

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**CERTIFICATE**

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

(R. M. Khan)  
Stenographer (Grade-III)