

ORDER

Perused application and say. The application is pending since 19/06/2017. It is taken up for decision. The plaintiff has requested for permission to examine the measurer. According to plaintiff T.I.L.R. was appointed as court commissioner to measure the suit land and locate the encroachment. The measurement is not as per the directions of court. The measurement was not actually hence the permission be granted. The application is opposed submitting that evidence of plaintiff is not started. At this stage the application is not tenable hence this rejected.

The record reveals that commissioner was appointed as per order below exh. 23 before decision of application of Temporary Injunction the evidence is yet to be commenced. If the plaintiff who has request for appointment of commissioner is not satisfied with the measurement report he can take appropriate action as provided under law. But for the said purpose the commissioner can not be examined at this pre trial stage. These aspects reflect that the application is devoid of merits it is required to be rejected and accordingly it is rejected. Costs in the cause.

Sd./-

Date : 28/11/2017

Civil Judge (Sr.Dn.), Washim.

Certificate.

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

Name of the Stenographer :

Court Name : Civil Judge (Sr.Dn.), Washim.

Date : 28.11.2017

Order signed by the Presiding
Officer on : 28.11.2017

Order uploaded on : 19.12.2017