

MHYA050029312024



RCS. No.96 of 2024
Vijay Vs. State

ORDER BELOW EXH.65

1. The plaintiff has filed this application under Order XXVI Rule 9 of the Civil Procedure Code, 1908. The defendant has given no objection.
2. Heard both the sides.
3. According to plaintiff present suit is in respect of alleged encroachment on the part of the defendant No.6 to 10. The plaintiff has filed lay-out plan on the record. However, in said plan it is necessary to show encroached portion. Therefore, it is necessary to appoint a Court Commissioner for sale purposes. Considering the dispute between the parties it is necessary to ascertain the area of suit property and alleged encroachment in order to adjudicate the dispute. Hence, it would be just and proper to appoint Court Commissioner to measure the suit property and show encroachment if any. Hence, I pass following order.

:- ORDER :-

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1.	The application below at <u>Exh.65</u> is allowed with cost.
2	TILR Pusad is appointed as Court Commissioner to measure the suit property and show if there is any encroachment on the suit property.
3	He shall submit his report within one month from the date of

	receipt of writ of commission.
4	The plaintiff shall bear the fees of Court Commissioner. On the payment of said fees writ be issued to the Court Commissioner.
5	All the parties shall attend before the Court Commissioner.

Date: 06/05/2026

(A.S.Atre)
Civil Judge (Sr. Dn.),
Pusad.