

ORDER BELOW EXH. 1 IN F.D.NO.1/2020

(Passed On: 22.11.2022)

1] The Decree Holders through this application prayed to pass final decree in pursuance of preliminary decree passed in a suit R.C.S.No.65/2015 dated 12/11/2019.

2] The Decree Holder in order to substantiate their contention with regard to preliminary decree has relied on copy of judgment and decree passed in the suit R.C.S.No.65/2015. On perusal of said judgment and decree it clearly transpires that, this Court has passed preliminary decree with regard to agricultural land Gat No.164 adm. 2 Hecter 48 R situated at village Tembhe and also with regard to house property bearing Grampanchayat house No.57 adm. 371 Sqr. Feet, situated at village Tembhe, Tal. Shahada, Dist. Nandurbar. This Court has declared that, the plaintiffs jointly have 10/63 share in said properties. This Court has also declared that, the defendant No.2 to 5 each have 10/63 share, the defendant No.6, 7 and 8 each have 1/63 share in said properties.

3] During pendency of said final decree application the parties arrived at compromise at Exh.19 and they have get partitioned the said suit land and suit house properties between them as stated in the compromise. The said compromise is read and recorded and accepted by this Court.

4] Therefore as the suit land and house property is partitioned in pursuance of compromise at Exh.19, it is now necessary to pass final decree so it can be executed and its effect can be taken in the revenue record. Hence, for the said reason I proceed to pass following order.

ORDER

- 1] The present application is allowed.
- 2] The final decree in pursuance of compromise at Exh.19 be passed.
- 3] The decree holder shall provide requisite non-judicial stamp as per Schedule-I Article 46 of Bombay Stamp Act to engross final decree as prayed.
- 4] Final decree be drawn up accordingly.

Date: 22.11.2022.

(R.A.Shinde)
Jt.Civil Judge Senior Division,
Shahada, Dist. Nandurbar.