



A.Nos.4514 & 4515 of 2024

in

C.S.No.231 of 2002

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DR.R.N.MANJULA,J.

The learned counsel for the applicants and the respondents submitted that both the suit items are not fit for division and the Commissioner's report also reflects the same.

2. It is also learnt that neither of the parties are willing to purchase the shares of the other party without the involvement of any of the third party purchaser. So, the learned counsel for the applicants / plaintiffs submitted that they would find out a buyer in order to ensure that the property is sold to the buyer brought by them.

3. If the Commissioner initiates auction proceedings to sell the property, any purchaser who is interested can participate in the auction and purchase the suit property. Hence, the Commissioner is directed to initiate the sale process through public auction by following the due procedure. So, let the Commissioner be initially paid with a sum of Rs.70,000/- towards the expenses and another sum of Rs.70,000/- towards fees of the Commissioner. Let the expenses including the fees of the Commissioner be shared



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between the parties according to their shares. The fees and expenses shall be paid to the Commissioner directly within a period of one week.

4. List the matter after four weeks.

01.12.2025

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