

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 11184 OF 2014

DINKAR DNYANOBA SHELKE AND ANOTHER
VERSUS
MAHADEO VITHOBA SHELKE

...
Advocate for Petitioners : Shri Syed Masood Chand

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CORAM : RAVINDRA V. GHUGE, J.
Dated: December 23, 2014
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PER COURT :-

1. This matter was heard for sometime. The learned Advocate for the petitioners seeks leave to withdraw the petition on instructions and prays that an application for appointment of Court Commissioner, only to inspect the suit property and measure the land, would be filed in the light of the judgments of this Court in the cases of Kolhapuri Bandu Lakade Vs. Yallappa Chinappa Lakade [2011 (3) Bom.C.R.807] and Bento Antonio Gomes @ Antonio Bento gomes Vs. Rosario Salvador Carneiro and others [2014 (4) Mh.L.J. 360].

2. In the light of the above, this petition is dismissed as withdrawn.

3. In the event, the petitioner files an application for appointment of Taluka Inspector of Land Records as a Court Commissioner for carrying out the measurement of the suit property and for drawing a map thereupon, the trial Court shall consider the same strictly in accordance with law and in the light of the above referred two judgments of this Court.

(RAVINDRA V. GHUGE, J.)

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