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IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 7810 OF 2014

Sushila w/o Baban Shelke

PETITIONER

VERSUS

Rohidas s/o Sitaram Bhosale & others

RESPONDENTS

.....

Mr. Niteen V. Gaware, Advocate for the petitioner

Mr. S. G. Sangale, AGP for respondent State

Mr. P. R. Katneshwarkar, Advocate for respondents No.2

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[CORAM : SUNIL P. DESHMUKH, J.]

DATE : 9th JULY, 2015

ORDER :

1. Heard learned advocates for the parties at quite some length.
2. Though the petitioner purports to be aggrieved by order dated 15th April, 2014, directing appointment of court commissioner for suit property block No.2182/1/1 situated at Shrigonda, District – Ahmednagar and to measure the same and to see exact location of 2 Are land of defendant No.1, learned advocate for the petitioner, on instructions fairly submits that the petitioner may not have particular objection to measurement so directed, however, his request is to have the measurement by

District Superintendent of Land Records instead of the measurement by Deputy Superintendent of Land Records, as directed under the impugned order. Reason appears to be that the petitioner is apprehensive, since earlier on said authority had already carried out measurement in other litigation.

3. Learned advocate for the respondents gracefully accepts the suggestion and states that his client has no objection if measurement is carried out by District Superintendent of Land Records.

4. In view of aforesaid position, the impugned order dated 15th April, 2014 passed by 2nd Joint Civil Judge Junior Division, Shrigonda on Exhibit-43 in Regular Civil Suit No. 10 of 2011 stands, albeit, with modification that in paragraph No.2 of the operative order, authority "Deputy Superintendent of Land Records, Shrigonda" is replaced by "District Superintendent of Land Records, Ahmednagar".

5. Accordingly, writ petition stands disposed of.

[SUNIL P. DESHMUKH, J.]