

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 3544 OF 2015

Sunanda K. Koni .. Petitioner
vs.
Devidas H. Chatala .. Respondents
(since deceased through Lrs.)

Mr. R.S. Alange for the Petitioner.

CORAM : M. S. SONAK, J.
DATE : 12 JUNE 2015.

P.C. :-

1] This petition is directed against the order dated 4 February 2015 made by the Joint Civil Judge Junior Division, Solapur rejecting application for appointment of Court Commissioner.

2] If the application seeking appointment of Court Commissioner is perused, then it does appear that the application is for the purposes of collecting evidence, which is impermissible. Besides, the defence evidence is in progress since 4 September 2013.

3] In these circumstances, it cannot be said that the impugned order suffers from any jurisdictional error.

4] The petition is accordingly, dismissed. There shall be, however, no order as to costs.

(M. S. SONAK, J.)