

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 3533 OF 2015

Mrs. Louisa G. Soans .. Petitioner
vs.
Prakash S. Mhaske .. Respondent

Mr. Amol Mhatre for the Petitioner.

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

P.C. :-

1] This petition is directed against the order dated 18 November 2014, by which the learned Civil Judge, Senior Division at Thane has rejected the petitioner's application for appointment of Court Commissioner.

2] There is no jurisdictional error in the making of impugned order, inasmuch as appointment of Court Commissioner is not to enable the parties to the proceedings to collect evidence for their cause. In this case, it is always open to the petitioner to appoint an expert and thereafter examine him/her in support of the contentions with regard to status of the premises.

3] Accordingly, there is no reason to interfere with the impugned order. This petition is disposed of. There shall be no order as to costs.

(M. S. SONAK, J.)