

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 2943 OF 2015

Rajendra G. Patil .. Petitioner

vs.

Smt. Indubai K. Ghorpade and ors. .. Respondents

Mr. N.B. Patil for the Petitioner.

CORAM : M. S. SONAK, J.

DATE : 20 MARCH, 2015.

P.C. :-

- 1] Not on board. Upon production, taken on board.
- 2] This petition questions the order dated 25 February 2015, rejecting the appointment of a Court Commissioner.
- 3] If the application seeking appointment of the Court Commissioner is perused, it is clear that the objective thereof is to collect the evidence in the matter. In fact, the impugned order records that in a situation where the plaintiff claims for reliefs based upon the adverse possession, the appointment of the Court Commissioner to ascertain the status of water pipelines, electricity connection etc., would far from being of any assistance to the trial Court, contribute to further confusion in the matter.
- 4] There is no jurisdictional error or perversity in the impugned order, which is even otherwise discretionary in nature.
- 5] Accordingly, this petition is dismissed. There shall be no order as to costs.

(M. S. SONAK, J.)