

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.4597 OF 2015

Dhanubai Dagadu Kore

.. Petitioner

Versus

Indu Vitthal More and another

.. Respondents

Mr. S. A. Joshi, for the Petitioner.

Mr. V. S. Talkute, for the Respondents.

CORAM : R.M. SAVANT, J.

DATE : 14th OCTOBER, 2015

PC.

1. The Writ Jurisdiction of this Court is invoked against the order dated 12.03.2015 passed by the Learned 5th Civil Judge Junior Division, Pandharpur, by which order the application Exh.119 calling for clarification in respect of the "Notes and explanations" given in the measurement map filed by the Court Commissioner vide Mojni Register No.16+17/2011 dated 11.03.2011 came to be rejected. The said rejection is on the ground that if the Plaintiff feels that there is any ambiguity then she can put these ambiguities in the form of questions to the Court Commissioner at the time of his examination. In view of the said observations made by the Trial Court in paragraph 8 of the impugned order, there is no warrant to interdict with the impugned order dated

12.03.2015. It would always be open for the Plaintiff to follow the said course of action as contemplated in paragraph 8 of the impugned order. With the aforesaid observation, the Writ Petition is disposed of.

[R.M. SAVANT, J]