

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

Writ Petition No.1495 of 2015

(Smt. Sumitrabai Narayanrao Kharode and others v. Shri Purushottam
Vishwanath Kharode)

Office Notes, Memoranda of Coram,
appearances, Court's orders or directions Court's or Judge's orders
and Registrar's order

Shri N.R. Saboo, Advocate for Petitioners.

Coram : R.K. Deshpande, J.

Dated : 23rd March, 2015

The order impugned in this petition is passed below Exhibit 45 in Regular Civil Suit No.02 of 2013. The application under Order XXVI, Rule 9 of the Civil Procedure Code for appointment of Court Commissioner has been rejected. The Court is proceeding to decide the preliminary issue nos.3(A) and 3(B). The filing of such application at such time is merely to protract the litigation.

No interference is called for in the impugned order. The petition is dismissed.

The impugned order shall not come in the way of the Trial Court to appoint the Court Commissioner at any subsequent point of time.

Judge.

Lanjewar