

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD.

23 WRIT PETITION NO. 12456 OF 2015

GANPATI SITARAM BAGAD
VERSUS
RAMESHWAR UTTAM CHAVAN AND OTHERS

...
Advocate for Petitioner : Mr. B.A.Dhengle

...
CORAM : R. M. BORDE, J.
Date: March 07, 2016

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PER COURT :-

1 Application tendered by the petitioner, seeking appointment of Court Commissioner is turned down by the Trial Court, observing that, it is an attempt to collect evidence in respect of possession of the plaintiff. Since the order has been issued by the trial Court at interlocutory stage of the proceedings, no interference is called for under extraordinary jurisdiction under article 227 of the Constitution of India. The suit is presented in 2012 and is yet pending disposal. In the facts of the case, this petition can be disposed of with direction to the Trial Court to decide the pending Suit as expeditiously as possible and preferably by the end of the year 2016 and it is accordingly directed.

2 The writ petition stands disposed of.

(R. M. BORDE, J.)