

5FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.9701/2015

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. Ashok Manik for the petitioner

CORAM : K. K. TATED, J.
DATE : JUNE 13, 2016

P.C.:

1. Heard. By this petition under Article 227 of the Constitution of India the Petitioner defendant challenges the order dated 21.01.2015 passed by the Jt. Civil Judge, Junior Division Pandharpur below Exhibit- 17 in Regular Civil Suit No.533/2013 rejecting the application made by the petitioner defendant for appointment of a court commissioner under Order XXVI Rule 9 of the Code of Civil Procedure, 1908.

2. The defendant's application below Exhibit- 17 shows that the defendant made application to find out when the W.C. was constructed and the present position of the same, which cannot be allowed by appointment of a court commissioner. Hence, I do not find any reason to interfere with

the well reasoned order passed by the Trial Court rejecting the application made by the petitioner.

3. Hence, the Writ Petition stands rejected.

JUDGE