

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

WRIT PETITION NO.3466 OF 2016
(SEWAKRAO SADASHIV MESHARAM...VS..BALWANT ZINGRU MALEWAR)

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

Court's or Judge's orders

CORAM : Z.A.HAQ, J.
DATED : AUGUST 02, 2016.

On 19th July, 2016, at the request of the learned advocate for the petitioner, the matter was adjourned for today. In the morning session, since none appeared for the petitioner when the matter was called out, it was kept back. In the afternoon session, again none appeared for the petitioner.

The petitioner / plaintiff has assailed the order passed by the trial Court rejecting the application filed by the plaintiff praying that Commissioner be appointed for joint measurement of his field Survey Nos. 329 and 330. In the impugned order it is recorded that joint measurement of the land Survey Nos. 329 and 330 is undertaken pursuant to the order passed by the Court on application (Exh.34) on 8th May, 2013 and the map is placed on record of the Court. The plaintiff prayed for re-measurement of the land on the ground that the plaintiff has amended the plaint. The learned trial Judge has recorded that the reason given by the plaintiff for seeking re-measurement is not proper and justified. I find that the reasons given by the learned trial Judge for dismissing the application filed by the plaintiff are proper. The impugned order does not require any interference.

The petition is **dismissed**. No costs.

JUDGE

CERTIFICATE

I certify that this order uploaded is a true and correct copy of original signed order.

Uploaded by : R.B. Raut, PS

Uploaded on : 04/08/2016.