

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 11831 OF 2017

HARNAMSING RAMSINGH BHATYANI
VERSUS
MANJUSHREE DINESH PAWAR AND ANOTHER

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Advocate for Petitioner : Shri Garud N.C.

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CORAM : RAVINDRA V. GHUGE, J.
Dated: October 03, 2017

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PER COURT :-

1. The petitioner points out that by order dated 19.11.2014, the trial Court had appointed a Court Commissioner in RCS No. 813 of 2013. Since the suit property itself could not be identified by the petitioner, the TILR has submitted a report that the suit property cannot be identified.
2. The petitioner moved another application Exhibit 54 seeking an appointment of Court Commissioner once again. By the impugned order dated 18.11.2016, the said application has been rejected.
3. The petitioner prays for leave to withdraw this petition with liberty to file a fresh application after the recording of oral evidence.

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4. This petition is, therefore, disposed off as withdrawn. After the recording of oral evidence is concluded in the matter, either of the litigating sides would be at liberty to seek appointment of a Court Commissioner and if such an application is filed, the trial Court would consider the same on its own merits.

(RAVINDRA V. GHUGE, J.)

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