

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

916 WRIT PETITION NO. 13140 OF 2017

**BABASAHEB VITHOBA RANDVE AND OTHERS
VERSUS
VASANT MAHADEO CHAVAN**

...

Advocate for Petitioners : Mr. Latange V.P.

...

CORAM : V.K. JADHAV, J.

Dated: November 14, 2017

...

PER COURT :-

I do not find any substance in this writ petition. Respondent/original Plaintiff has instituted a suit simplicitor for perpetual injunction and the present petitioners-original defendants have not filed any counter claim. Respondent-plaintiff has not disputed the boundaries nor claimed any encroachment over the portion of the suit land by the petitioners-defendants. In view of the same, trial court has rightly rejected the application of the defendant seeking appointment of the Court Commissioner. I do not find any fault in the order passed by the learned Judge of the trial court. Writ Petition is hereby dismissed. No costs.

(V.K. JADHAV, J.)

...