

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 13469 OF 2017

BALU NIVRUTTI SHINDE AND OTHERS
VERSUS
BANSI KISAN GAIKWAD

...

Advocate for Petitioners : Mr. Bora Satyajit S.

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CORAM : V. K. JADHAV, J.
DATED : 20th NOVEMBER, 2017

PER COURT:-

1. Heard.

2. I do not find any substance in this writ petition. The petitioners plaintiffs have instituted a suit simplicitor for perpetual injunction wherein they have filed an application Exh.39 for appointment of Court Commissioner. The trial court has rightly rejected the application with observation that this would be tantamount for collecting the evidence regarding possession/construction over the suit property.

3. I view of above, I do not find any fault in the impugned order. There is no merit in the writ petition. Writ petition therefore, is hereby dismissed.

(V. K. JADHAV, J.)

rlj/