

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

WRIT PETITION NO. 67 OF 2016

**ASHOK VITHAL YEOLE AND OTHERS
VERSUS
SANTARAM ASARAM AVHAD AND OTHERS**

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None present for petitioners

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CORAM : S.V. GANGAPURWALA, J.

DATE : APRIL 24, 2017

PER COURT :

On 13.10.2016, when the matter was called out, none appeared for the petitioner. On that day, this Court observed that if on the next date, nobody appears for the petitioner, the matter would be disposed of. On 21.04.2017 also, the matter was called out twice, however, none appeared for the petitioner. The matter was adjourned for today. Today also, when the matter is called out, none appears for the petitioner.

2. The petitioner is seeking relief of appointment of Court Commissioner for the purpose

for cross-examination of the witness. It has been stated that at the relevant time, the witness was in bed. It appears that the said witness was an out-door patient and the certificate was also issued more than one and half years back. There is nothing to show that at present also, the witness cannot come to the Court.

3. Considering the above, the Writ Petition is dismissed. No costs.

[S.V. GANGAPURWALA, J.]

kbp