

HON'BLE SRI JUSTICE S.V.BHATT

C.R.P. No.2336 OF 2017

ORDER:

Heard Mr.Challa Siva Sankar for petitioner and perused the order impugned in the writ petition.

On 13.06.2016, respondents herein filed application for appointment of Advocate Commissioner to note down the physical features and to file report into the Court.

Learned Advocate appearing for petitioner reported no objection and the trial Court thereafter considering the material, ordered appointment of Advocate Commissioner. Hence C.R.P.

After perusing the material, this Court is of the view that on the endorsement written by the counsel appearing for petitioner, the advocate Commissioner is appointed for noting down the physical features of the schedule mentioned property. Petitioner for the purpose of filing the C.R.P., has not satisfactorily shown as to how the endorsement of 'no objection' written by his Advocate is firstly without authority and alternatively causing prejudice to the petitioner. The inspection of Advocate Commissioner by itself cannot be treated as end on the issue. The petitioner can certainly serve a work memo if he is advised on the aspects of the matter and the Advocate Commissioner's report if is required to be contested within four corners of law, after it is filed, the petitioner can certainly avail remedies. Since the Advocate Commissioner was appointed and 'no objection' was written by the counsel

appearing for the petitioner, in the fact situation of the case, this Court is not enquiring into other grounds urged in the C.R.P.

The C.R.P. fails and is dismissed. No order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.

S.V.BHATT,J

Date: 30.06.2017

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