

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 3180 OF 2016

DY ENGINEER WATER SUPPLY ZP OSMANABAD
VERSUS
SAYYAD DASTGIR SAYYAD PAPAMIYA AND ANOTHER

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Advocate for Petitioner : Shri Rodge S.N.
Advocate for Respondent : Shri Kore G.J.

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CORAM : RAVINDRA V. GHUGE, J.
Dated: February 15, 2018

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PER COURT :-

1. Learned counsel for the original plaintiff / respondent No.1 herein, submits on instructions that the impugned order dated 19.11.2015 be set aside by consent and Exhibit 99 be allowed by consent.
2. Both the learned Advocates, therefore, jointly submit that this petition can be allowed by consent. None has appeared for respondent No.2, despite service of court notice.
3. Considering the above, this petition is allowed by consent. Without laying down a precedent, the impugned order dated 19.11.2015 is set aside and Exhibit 99 is allowed by consent. The trial Court, would therefore, issue necessary directions for appointing the

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Deputy Director of Land Records, Bhoom, to perform the function of a Court Commissioner on such conditions as the trial Court may deem fit and appropriate.

4. After the exercise of Court Commissioner is completed, the trial Court shall proceed to decide RCS No.509 of 2003 as expeditiously as possible and preferably on/or before 30.11.2018.

(RAVINDRA V. GHUGE, J.)

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