

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

7 WRIT PETITION NO. 13382 OF 2017

GANESH DAULAT GUJAR
VERSUS
RAMAN NAMDEO GUJAR AND OTHERS

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Advocate for Petitioner : Mr. Sangeet L.V.

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CORAM : V.K. JADHAV, J.
Dated: January 08, 2018

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PER COURT :-

1. Learned counsel for the petitioner/original plaintiff submits that the trial court has rejected the application exh.19 seeking appointment of the Court Commissioner mainly on the ground that the plaintiff has not pleaded certain facts for which appointment of the Court Commissioner is sought and those facts are pertaining to erection of the tin shade in the suit way subsequent to filing of the suit.

2. Learned counsel for the petitioner, on instructions, seeks leave to withdraw this writ petition with liberty to file an application for appointment of the Court Commissioner after filing of the application seeking amendment in the pleadings pertaining to the subsequent development.

3. Leave granted.

4. Writ Petition is disposed of as withdrawn with the liberty as aforesaid. No costs.

(V.K. JADHAV, J.)

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