

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

WRIT PETITION NO. 9697 OF 2014

Jeevan S/o Vinayak Jahagirdar

Petitioner...

Versus

Agricultural Produce Market Committee,
Jamner, District Jalgaon & Ors.

Respondents...

.....

Mr Kishorkumar B. Borde Patil, Advocate for the petitioner
Mr S. G. Chapalgaonkar, Advocate for respondent No. 1-APMC
Mr V. S. Badakh, AGP for respondent/State

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**CORAM : R. M. BORDE &
A. M. DHAVAL, JJ.**

DATE : 27TH JUNE, 2018.

PER COURT:-

1. Counsel appearing for the petitioner, on instructions, seeks leave to withdraw the petition. Leave granted. Writ Petition stands disposed of as withdrawn.

2. During the pendency of this petition, by an order dt. 17.04.2015, with the consent of parties one Mr. Kiran R. Patil, Architect, R/o. Pachora, was appointed as Court Commissioner for the assessment of the valuation of the work done by the petitioner in respect of the disputed contract. The parties who have been served

have not objected to the same. The report of the Court Commissioner is placed on record. The Registry of the High Court shall transmit the report to the trial Court.

3. Counsel for respondent No. 1 - APMC contends that the consent for appointment of the Commissioner, who is Architect, is fraudulent and the report is also manipulated one.

4. It would be open for the concerned respondents to object to the report of the Commissioner by presenting appropriate objections before the trial Court.

[A. M. DHAVALA]
JUDGE

[R. M. BORDE]
JUDGE

Punde