

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

WRIT PETITION NO. 12576 OF 2018

Govind Devram Kokani ... Petitioner

Versus

Sonya Parya Kokani & Ors. ... Respondents

...

Mr. J.R. Shah, Advocate for the Petitioner

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Coram : N.M. Jamdar, J.

Date : 26 November 2018

Oral Order:

The petitioner is aggrieved by the rejection of his application for appointment of Court Commissioner. The learned Judge, while rejecting the application for appointment of the Court Commissioner/Survey Authority, has observed that the plaintiff has already produced a survey map of the TILR. The contention of the petitioner is that the map of TILR is fabricated. At this stage, the discretion used by the learned Civil Judge in not getting the measurements through the Survey Officer cannot be faulted with. In

case during the further hearing, the learned Civil Judge comes to the conclusion that the version of the petitioner that the map of TILR produced by the plaintiff cannot be relied upon, the learned Civil Judge, always has power to appoint a superior officer for carrying out the survey. With these observations, the Writ Petition is disposed of.

N.M. Jamdar, J.

Sameer//