

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION No.3882 OF 2018

Shri Madhukar Mahaling Waghmare

... Petitioner

Vs.

Vibhav s/o. Balaso Bochare & ors.

... Respondents

Mr.A.A. Jadhavar for the Petitioner

**CORAM: Mrs.MRIDULA BHATKAR, J.
DATED: AUGUST 2, 2018**

P.C. :

1. Upon urgent mentioning, taken on Production Board.
2. I am surprised to come across this Writ Petition in which production is taken out in which the order dated 16.9.2014 passed by the learned Joint Civil Judge, Junior Division, Madha, below exhibit 7 in RCS No.115 of 2016 filed by the plaintiff for appointment of Court Commissioner. On query, I am informed that the plaintiff's evidence is on record. I do not find any urgency in this matter and there is no whisper of delay in this Writ Petition. In fact, such a Writ Petition ought not to have been filed. This

petition is filed on 3.2.2018. Such type of filing is unnecessary and frivolous which causes unnecessary expenditure for the litigants.

3. At this stage, the learned Counsel seeks permission to withdraw this petition. However, it is not allowed.

4. Petition is accordingly dismissed and the learned Counsel is directed to pay costs of Rs.100/- in the Kirtikar Law Library, High Court, within two days and furnish the receipt in the Registry.

(MRIDULA BHATKAR, J.)