

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

WRIT PETITION NO. 1190 OF 2019

Ramnath s/o Shahaji Kapse and others .. Petitioners

versus

Damodhar s/o Bandu Kapse and others .. Respondents

Mr Mahesh B. Ubale, Advocate for petitioners

CORAM : SUNIL P. DESHMUKH, J.

DATE : 29th January, 2019

ORDER :

1. Heard learned counsel for the petitioner.
2. Application Exhibit - 12 has been filed by present petitioners - defendants in regular civil suit bearing no. 262 of 2012 seeking appointment of court commissioner even before issues have been framed and thus the application seems to be at a premature stage. In the circumstances rejection of said application under impugned order dated 19-10-2018 by trial court would not be said to be unsustainable.

3. Writ petition is, therefore, rejected with liberty to make appropriate application at a proper stage if the circumstances so require.

SUNIL P. DESHMUKH
JUDGE

pnd/-