

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

WRIT PETITION NO. 7694 OF 2019

**SHRIDHAR GOPALRAO GATHAL
VERSUS
RAMBHAU NAMDEORAO PANKHADE AND OTHERS**

...
Advocate for the Petitioner : Shri T. G. Gaikwad
...

CORAM : RAVINDRA V. GHUGE, J.

DATED : 13th AUGUST, 2019.

...

PER COURT :

1. The petitioner original plaintiff No. 1 is aggrieved by the order dated 05/02/2018, by which, the Trial Court issued witness summons below application Exhibit 145 in RCS No. 31/2018, directing the Deputy Superintendent Land Records to appear with certain documents for recording his evidence. The petitioner is also aggrieved by the order dated 01/12/2018, by which, the Trial Court has rejected application Exhibit 153, by which, the petitioner sought review of the order dated 05/02/2018.

2. The learned Advocate for the petitioner has strenuously criticized both the orders. With his assistance, I have perused

the averments and the six grounds set out in the memo of the petition.

3. I find that the measurement of the suit land had occurred on 23/07/2015. Defendant No.1 desires to examine the Deputy Superintendent Land Records, who had carried out the measurement. Exhibit 145 was adjourned for some time and was finally disposed off by order dated 05/02/2018 and witness summons were issued.

4. I do not find any prejudice caused to the petitioner, *inasmuch* as, the impugned orders do not appear to be perverse or erroneous or likely to cause grave injustice to the petitioner.

5. In view of the above, this petition, being devoid of merit is, therefore, dismissed.

(RAVINDRA V. GHUGE, J.)

shp/-