

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD
WRIT PETITION NO.7702 OF 2019

Vishnukumar s/o Pandurangji Jaju

Petitioner

Versus

Nandkishor s/o Gangabishari Parikh
and others

Respondents

Mr.L.B.Palod, advocate for the petitioner.

Mr.I.D.Maniyar, advocate for Respondent No.1.

Mr.V.V.Bhavthankar, advocate for Respondent No.3.

Mr.S.A.Ambad, advocate for Respondents No.4 and 5.

CORAM : RAVINDRA V. GHUGE, J.

DATE : 26th August, 2019

PER COURT:

1 The learned advocate for the petitioner submits that the measurement of the land S.No.597 was carried out in 1993 by the defendants who are now denying the same, since the measurement is against their interest. He submits that as he had not tendered a notice for production of documents so as to bring the said measurement report on record, which is with the office of the TILR, Parali-Vajjnath, District Beed, he now intends to adopt the said procedure, since the said document is in the exclusive possession of the TILR, Parli Vajjnath, who had carried out the measurement.

2 In view of the above, this petition is disposed off, since the petitioner desires to file an application, as stated above.

3 If such an application is filed, the trial Court would consider the same on its own merits. The impugned order dated 06.03.2019, passed by the trial Court, below application Exhibit-65 in RCS No.78 of 2011, shall not be an impediment.

RAVINDRA V. GHUGE
JUDGE

adb/