

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.10026 OF 2019

Rameshwar s/o Khandu Kolhe

Petitioner

versus

Vaijinath s/o Prabhu Gore and others

Respondents

Mr. M.U. Shelke, advocate for the petitioner.

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CORAM : **RAVINDRA V. GHUGE, J.**

Date: August 14th, 2019

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PER COURT :-

1 The petitioner is aggrieved by the order dated 14.6.2019, by which, the Trial Court has rejected Application Exhibit 36 filed by the petitioner – defendant No.3, seeking appointment of TILR as the Court Commissioner in RCS No.1137/2017.

2 The learned advocate for the petitioner seeks liberty to withdraw this petition and give-up the challenge to the impugned order dated 14.6.2019, so as to challenge the order dated 4.12.2017, by which the Trial Court has allowed application Exhibit 25 and appointed a Court Commissioner, at the request of the plaintiff, even before Application Exhibit 5 was decided.

3 In view of the above, this petition is disposed off, as withdrawn, with liberty to challenge the earlier order dated 4.12.2017.

(RAVINDRA V. GHUGE, J)