

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

3 WRIT PETITION NO.9720 OF 2019

NAGNATH GAJENDRA PATIL
VERSUS
BANDU TUKARAM GODKE AND ANOTHER

Advocate for Petitioner : Mr.S.Y. Patil h/f Mr. Deshmukh Vivekanand B.

CORAM : RAVINDRA V. GHUGE, J.
Date: August 05, 2019

PER COURT :-

1 The petitioner is aggrieved by the order dated 15.7.2019, passed by the Trial Court, by which Application Exhibit 65, filed by the petitioner - defendant, seeking appointment of a Court Commissioner in RCS No.90/2012, has been rejected.

2 It is informed that, by an earlier order of the First Appellate Court, the Trial Court is directed to decide the Suit on or before 3.8.2019. The same is now posted for judgment. However, it has been adjourned to 8.8.2019, for Judgment.

3 Considering the above, this petition is disposed off.

4 The trial Court shall deliver its' Judgment in RCS No.90/2012 on 8.8.2019. In the event, the petitioner-defendant suffers an adverse order and approaches the Appellate Court, the contention as regards appointment of Court commissioner, shall be kept open to be raised, as a ground in a Regular Civil Appeal.

(RAVINDRA V. GHUGE, J.)