

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

1027 WRIT PETITION NO.5026 OF 2019

PANDURANG BABURAO PATIL
VERSUS
SAHEBRAO SHALIK PATIL

.....
Advocate for Petitioners : Mr. Patil Mangesh G
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CORAM : V. K. JADHAV, J.
DATED : 17th JANUARY, 2020

PER COURT:-

1. I find no substance in this writ petition. The petitioner-defendant has filed an application Exh.148 for appointment of Court Commissioner at belated stage.

2. The respondent-plaintiff has instituted the suit simplicitor for decree of perpetual injunction and in his suit, the present petitioner original defendant has filed an application for appointment of Court Commissioner. The evidence from both the sides is over and when the matter was kept for final hearing and after the trial court heard the respondent-plaintiff, the petitioner-defendant has filed an application at that stage for appointment of Court Commissioner. I do not find any fault in the order of the trial court in rejecting the application seeking appointment of Court Commissioner at belated stage and that too in the suit instituted simplicitor for decree of perpetual injunction. There is no substance in this writ petition. The writ petition is hereby dismissed.

(V. K. JADHAV, J.)