

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

WRIT PETITION NO.2593 OF 2021

Moinoddin s/o Haji Abdul Rehman

Petitioner

Versus

Abdul Kabir s/o Abdul Rashid & others

Respondents

Mr.P.R.Katneshwarkar, advocate for the Petitioner.

CORAM : V.K.JADHAV, J.

DATE : 09th February, 2021.

PC :

1 Heard.

2 I am not inclined to entertain this writ petition for the reason that before the Court Commissioner i.e. T.I.L.R. appointed on the earlier occasion is examined as a witness of either of the parties or as a Court witness, it is premature stage to file an application for appointment of another Court Commissioner. I find no error in the impugned order wherein the trial Court has observed the same thing.

3 In view of the above, writ petition is hereby disposed of with liberty to the petitioner to file an application for

appointment of the Court Commissioner, if occasion so arises after examination of the earlier Court Commissioner – T.I.L.R. is over.

(V.K.JADHAV)
JUDGE

adb