

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

1016 WRIT PETITION NO.4991 OF 2021

ARJUN NARAYAN DUDHBHATE
VERSUS
GOVIND NARAYAN DUDHBHATE AND OTHERS

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Advocate for Petitioner : Mr. Halkude Sharad S.

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CORAM : V. K. JADHAV, J.
DATE : 19.03.2021

PER COURT :-

1. Heard the learned counsel for the petitioner.
2. The petitioner has filed an application for appointment of the Court Commissioner in his pending suit instituted for a decree of perpetual injunction. By impugned order, the Trial Court has rejected the said application mainly on the ground that the said application is filed at very initial stage. It appears that issues are yet not framed.
3. In view of the same, this writ petition is disposed off with liberty to the petitioner to file an application for appointment of the Court Commissioner, after he led the evidence and it is for the Trial Court to consider the said

application seeking appointment of the Court Commissioner on its own merits.

(V. K. JADHAV, J.)

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vmk/-