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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 906 OF 2018**

Navnath Bhagwan Bagal

.... Petitioner.

V/s

Dharma Krishna Dhage & Ors.

.... Respondents.

Mr. Prasad P. Kulkarni for the Petitioner.

Mr. Amitkumar D. Sale for the Respondents.

CORAM: NITIN W. SAMBRE, J.

DATE: FEBRUARY 16, 2021

P.C.:-

1] In a suit for possession and mesne profit, below Exhibit-47 an application for appointment of Commissioner was moved. The order impugned came to be passed thereby rejecting the prayer. Of-course, it can be ascertained from the submissions of the learned Counsel for the Petitioner that in the suit recording of evidence is yet to commence.

2] In that view of the matter, no illegality could be noticed in the impugned order. Petition as such stands dismissed. However, this will not preclude the Petitioner from moving a fresh application after recording of evidence has commenced.

(NITIN W. SAMBRE, J.)