

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

942 WRIT PETITION NO.9076 OF 2022

MANGALBAI SHENPADU PATIL DECEASED THROUGH LRS VINOD
SHENPADU PATIL
VERSUS
PRABHAKAR LAXMAN KOTHAVADE

Shri. P. B. Patil (Borse), Advocate for he petitioner

**CORAM : M. G. SEWLIKAR, J.
DATED : 8th SEPTEMBER, 2022**

PER COURT :-

1. Heard.
2. The application for appointment of Commissioner is rejected by the learned Trial Court.
2. The petitioner is the plaintiff in a suit for perpetual injunction. Evidence of 3 witnesses is over. Yet the plaintiff evidence is not complete. After completion of the entire evidence the plaintiff can apply for appointment of Court Commissioner. Learned counsel, therefore, on instructions, seeks leave to withdraw the application with liberty to apply for appointment of Court Commissioner after entire evidence is over. Petition is disposed of as withdrawn with liberty as prayed.

[M. G. SEWLIKAR, J.]

ssp