

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

WRIT PETITION NO. 12680 OF 2022

Tukaram Aadinath Bhairat
and another

.. Petitioners

Versus

Sandipan Pandharinath Bhairat
and others

.. Respondents

Shri Kishor R. Doke, Advocate for the Petitioners.

**CORAM : SANDEEP V. MARNE, J.
DATE : 13TH DECEMBER, 2022.**

FINAL ORDER :

. By this petition petitioners challenge order dated 04th October, 2022 passed by the Joint Civil Judge Senior Division, Bhoom allowing the application of the respondent No. 1 for appointment of Court Commissioner for measurement of land and fixation of boundaries.

2. The land acquisition reference is pending before the Reference Court to determine the issue as to whose land is acquired and what is the area under acquisition. The respondent No. 1 claims a share in respect of land at Sy. No. 74/A. It is his contention that some land out of Sy. No. 74/A has been acquired. He therefore wants to claim compensation in respect of the extent of land acquired from him. The only issue before the Reference Court is to

determine as to whose land is acquired and what is the extent of acquisition. For that purpose the appointment of Court Commissioner for measurement of land would be utmost necessary. The Reference Court has rightly allowed the application for appointment of Court Commissioner. The petition is devoid of any merits. Same is dismissed without any orders as to costs.

[SANDEEP V. MARNE, J.]

bsb/Dec. 22