



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

WRIT PETITION NO. 13978 OF 2023

Nagnath Gangaram Bolegave .. Petitioner

Versus

Shaikh Maheboob Nabisab
and another .. Respondents

Shri Y. M. Khan, Advocate for the Petitioner.

**CORAM : SHAILESH P. BRAHME, J.
DATE : 05TH DECEMBER, 2023.**

FINAL ORDER :

. The petitioner is challenging order dated 02nd November, 2022 passed below Exhibit 45 in R.C.S. No. 345 of 2015 rejecting his application for appointment of Court Commissioner.

2. The petitioner is the original plaintiff who has filed suit for perpetual injunction. The application Exhibit 45 was filed on 04.02.2022. Issues were settled on 24.11.2022. Admittedly, the application was filed before commencement of trial.

3. The learned Trial Judge did not find favour with the petitioner. I do not propose to go into the merits of the matter. The petitioner can file application after recording of evidence. The writ petition is disposed of with a liberty to the petitioner to

file application for appointment of Court Commissioner at appropriate stage, if so desired.

[SHAILESH P. BRAHME, J.]

bsb/Dec. 23