

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.13317 OF 2022

Rangnath Genu Telore
and another

.... Petitioners

Versus

Dipak Kashinath Telore
and others

.... Respondents

.....
Mr. Rajendra S. Kasar, Advocate for the Petitioners
Mrs. G.L. Deshpande, AGP for Respondent Nos.5 to 10
.....

[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 10th MARCH, 2023

ORDER :

1. It is the grievance of the petitioners that their prayer for appointment of Court Commissioner is rejected.
2. Perusal of the record shows that the application was filed at premature stage. The parties are yet to lead evidence to prove *prima facie* case. Application Exhibit-5 is yet to be decided.
3. In that view of the matter, there is no illegality or perversity in the order impugned in the petition. The petitioner, however, is at liberty to file application for appointment of Court Commissioner after commencement of

the trial, and parties lead their evidence. At that stage, the trial Court shall consider the application on its own merits without being influenced by the order impugned in the present petition.

4. With these observations, the writ petition is disposed of.

[NITIN B. SURYAWANSHI]
JUDGE

S.P Rane