

Pdp

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 8626 OF 2017**

Shri Navin Shyamji Shah .. Petitioner
Versus
Shri M. Venkatesh Mudaliar & Ors. .. Respondents
Mr. P. G. Lad a/w Ms. Sayli Apte & Shreya Shah for Petitioner.

**CORAM: SANDEEP V. MARNE, J.
DATE: 16 JUNE 2023**

P.C.:

1. By this Petition, the Petitioner has challenged the order dated 16 November 2016 passed by the 4th Joint Civil Judge, Junior Division, Ulhasnagar allowing application filed by the plaintiff for appointment of Court Commissioner. By the impugned order, the Trial Court has appointed T.I.L.R., Ambernath as Court Commissioner for measurement of Survey No. 7/2 as well as the suit property and to submit a report.
2. The impugned order is passed on 16 November 2016 and the present Petition is pending since 10 March 2017. By now, the Court Commissioner must have already carried out the measurement as directed by the Trial Court. Mr. Lad, learned counsel appearing for the Petitioner submits that he does not have any further instructions about the current status of the Suit.
3. In that view of the matter, no purpose will be served in entertaining the contentions raised in the Petition.
4. The writ petition, as such, is disposed of.

(SANDEEP V. MARNE, J.)