



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

Writ Petition (WP) No. 5605 of 2023

Govind S/o Panjabrao Pawade

Versus

Sukhdeo S/o Pandurang Bhoyar

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri P.R.Agrawal, Advocate for the petitioner.

CORAM : ANIL S. KILOR, J.

DATED : 6th SEPTEMBER, 2023.

Heard.

2. Due to ambiguity and for not giving specific reasons as regards clarification the petitioner wants to bring on record, the application Exhibit 70 moved by the petitioner under Order XVIII Rule 18 of Code of Civil Procedure for inspection of the spot by the Court, came to be rejected vide order dated 1st February, 2023 passed by the learned Civil Judge, Junior Division, Warud in Regular Civil Suit No. 44 of 2014, the same is the subject matter of the present writ petition.

3. After going through the application under Order XVIII Rule 18 of the Code of Civil Procedure, it

only refers that there is ambiguity about the approach road in dispute and alternative road. However, what ambiguity in the evidence or for what clarification, the spot inspection is sought is not clearly stated in the application.

4. I do not find any error committed by the learned trial Court in rejecting the application.

5. Accordingly, the writ petition is dismissed.

6. However, liberty is granted to the petitioner to file the application afresh by giving all necessary details and necessity of spot inspection, if petitioner so desire.

[ANIL S. KILOR, J.]