

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

Writ Petition (WP) No. 3236 of 2023

Dnyaneshwar Trambak Sakhare

Versus

Shri Gajanan Maharaj Sansthan Shegaon, through its Managing Trustee
Nilkanth S/o Shivshankar Patil and others

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

Court's or Judge's Order

Shri J.B.Gandhi, Advocate for the petitioner.

Shri A.R.Patil, Advocate for the respondents/caveators.

CORAM : ANIL S. KILOR, J.

DATED : 9th AUGUST, 2023.

1. Heard.

2. In this writ petition, the challenge is raised to the order below Exh.83 rejecting the application for appointment of Court Commissioner.

3. The application to appoint Court Commissioner, was filed on an apprehension that the landlord is intending to carry out demolition work of upper floor because of the same, the suit property may get damage and in that eventuality inspection by Court Commissioner will be necessary. However, Shri Patil, learned counsel for the landlord makes a statement that

no work of demolition will be carried out without the permission of the Court.

4. In that view of the matter, application Exh.83 does not survive and in natural consequences, the present petition also does not survive.

Accordingly, the petition is dismissed.

[ANIL S. KILOR, J.]

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