

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

WRIT PETITION NO.8446 OF 2022

Jagdish Bhumilal Bhartiya .Vs. Shri Gajanan Maharaj Sansthan Shegaon, through its
Managing Trustee, Nilkanth S/o Shivshankar Patil and others

WITH

WRIT PETITION NO.8439 OF 2022

Harish Shyamsundar Wadhokar .Vs. 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/caveator.

CORAM : ANIL S. KILOR, J.

DATED : 18/01/2023

1. Heard.

2. In these writ petitions, the challenge is raised to the order below Exh.81 rejecting the applications for appointment of Court Commissioner.

3. The applications to appoint Court Commissioner, were 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, applications Exh.81 does not survive and in natural consequences, the present petitions also does not survive.

Accordingly, the petitions are **dismissed**.

JUDGE