



IN THE JUDICATURE OF HIGH COURT AT BOMBAY
BENCH AT AURANGABAD

913 WRIT PETITION NO. 4353 OF 2024

Vimalbai Ramrao Patil

VERSUS

Sundarrao Barku Pache And Another

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Advocate for the Petitioner : Mr. Ambildhage Ganesh Arjun

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CORAM : ARUN R. PEDNEKER, J.

Dated : April 25, 2024

PER COURT :-

1. Heard the learned counsel for the petitioner.
2. By way of present writ petition, the petitioner is challenging the impugned order dated 18.7.2023 passed below Exh. 10 in R.C.A. No. 76/2022 by the learned District Judge-10, whereby the application filed for appointment of Court Commissioner was rejected on the ground that nothing is mentioned in the application on the necessity of appointing the Court Commissioner.
3. The learned counsel for the petitioner has pointed out para 5 of the impugned order and submits that the application is rejected for want of necessary particulars and that he may be permitted to file appropriate application after complying with the requirements as mentioned in the impugned order.
4. In view of the submissions canvassed, liberty is granted to the petitioner to file application for appointment of Court Commissioner by making out the proper case for the same. If such an application is filed, the same may be decided in accordance with law. Needless to state, I have not expressed anything on the merits of the matter.
5. With the above liberty, the writ petition is dismissed.

(ARUN R. PEDNEKER, J.)