



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

26 WRIT PETITION NO. 8346 OF 2024

AKSHAY GANESH PATIL

VERSUS

BHASKAR CHINDHU PATIL

...

Advocate for the Petitioner : Mr. Patil Vijay Bhalerao

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CORAM : ARUN R. PEDNEKER, J.

DATE : 12th AUGUST, 2024

PER COURT:

1. Heard.
2. The application for appointment of the court commissioner under Order 26 Rule 9 of the CPC has been filed by the plaintiff and the same is rejected by order dated 13.10.2022 in the civil suit filed by the plaintiff for permanent injunction.
3. Apparently, the trial court has also stated in the impugned order that the parties have not adduced evidence and, that, at this stage, the appointment of the court commissioner is not permissible.
4. In view of the same, the parties are at liberty to apply for appointment of the court commissioner after the evidence is over and the court to decide the same in accordance with law.

5. In view of the above, no case is made out for interference and the writ petition is disposed of.

[ARUN R. PEDNEKER, J.]

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