



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

918 WRIT PETITION NO. 10532 OF 2024

GANESH GIRIDHAR BHOKRE THROUGH POA GIRIDHAR NAGOBA BHOKARE
VERSUS
HANMANT SHRISHAILAM MUNGILWAR

...
Advocate for the Petitioner : Mr. Vivek Vasantrya Bhavthankar

...
CORAM : ARUN R. PEDNEKER, J.

Dated : September 27, 2024

PER COURT :-

1. Heard the learned counsel for the petitioner/original plaintiff.
2. The application, Exh. 33 in R.C.S. No. 235/2021 is filed by the plaintiff for appointment of Court Commissioner. The same has been rejected by the learned Trial Court vide order dated 14.3.2024. The suit is pending for hearing on application, Exh. 5, filed for temporary injunction. The Trial Court held that there is no need to appoint Court Commissioner at this stage.
3. Considering the above fact situation, I do not see any reason to interfere in the impugned order.
4. However, the liberty is reserved to the petitioner/plaintiff to move an appropriate application for appointment of Court Commissioner at appropriate stage of the suit after leading the the evidence by both the parties. If such an application is filed, the Civil Court may decide the same in accordance with law. This Court has not expressed anything on the merits of the matter.
5. The writ petition is dismissed with above observations.

(ARUN R. PEDNEKER, J.)