



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

924 WRIT PETITION NO. 14035 OF 2024

BHAUSAHEB JAGANNATH JAYBHAY

VERSUS

THE STATE OF MAHARASHTRA THR THE DISTRICT COLLECTOR,
AHMEDNAGAR AND ORS

.....

Mr. S. S. Gangakhedkar, Advocate for the Petitioner

Mrs. M. G. Ghanekar, AGP for the respondent/State

Mr. Yogesh R. Shinde h/f Mr. R. R. Karpe, Advocate for respondent no.5.

CORAM : R. M. JOSHI, J.

DATE : 20th DECEMBER, 2024

PER COURT :-

1. Heard.

2. Learned counsels for both sides for some time, when this Court has shown inclination to cause interference in the impugned order, learned counsel for the contesting respondent/original plaintiff, on instructions, records no objection for setting aside the impugned order. He, however, seeks liberty to file application for appointment of Court Commissioner at appropriate stage of the proceeding.

3. In view of the above, petition stands allowed. Impugned order is set aside. It is, however, clarified that it is open for the plaintiff to make application before the Trial Court for appointment of Court Commissioner at appropriate stage. Any application if filed be decided on merit by Trial Court.

(R. M. JOSHI, J.)

ssp