

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

WRIT PETITION NO. 12937 OF 2024

Prashant Sundarlal Savaji

VERSUS

Maheubkha Karimkha Pathan Died Through Lrs Asef Khan  
Maheub Pathan And Others

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• Mr. P. N. Kalani, Advocate for the Petitioner

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CORAM : R.M. JOSHI, J

DATE : NOVEMBER 28, 2024

PER COURT :

1. Learned Counsel for the Petitioner submits that even before framing of the issues, an application filed by the Plaintiff as well as Defendant No. 16 for appointment of the Court Commissioner came to be allowed. This, according to him, amounts to collection of evidence through Court's order. He seeks issuance of notice only to Respondent Nos. 1, 2 and 17 as he is not seeking any relief against them.

2. Having regard to these facts, issue notice to Respondent Nos.1, 2 and 17, returnable on 20.01.2025. Till next date of hearing, there shall be stay to the proceeding bearing RCS No. 13/2021.

3. In addition to usual mode of service, Petitioner is at liberty to serve Respondents by any other permissible mode of service and to file affidavit of service before next date.

(R.M. JOSHI, J.)