

Shabnoor

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.10541 OF 2016

Gangadhar Daulatrao Ingale

... Petitioner

V/s.

Pandit Govind Yadav & Ors.

... Respondents

SHABNOOR
AYUB
PATHAN

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SHABNOOR AYUB
PATHAN
Date: 2024.11.14
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None for the petitioner.

CORAM : AMIT BORKAR, J.

DATED : NOVEMBER 14, 2024

P.C.:

1. By the impugned order the Appellate Court has rejected an application for appointment of the Court Commissioner for measurement of plan. The suit was filed for relief of injunction restraining plaintiffs' possession over the suit property. In such suit, power under Order 26 Rule 9 of the Code of Civil Procedure, 1908, need not be exercised as no issue in relation of identity of the property is involved. Hence, the writ petition stands dismissed.

(AMIT BORKAR, J.)