

Shabnoor

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.16293 OF 2023

Pandharinath Shivram Sawant,
(Since Deceased) through Legal Heirs ... Petitioners

V/s.

Ramchandra Krushna Ghatkar ... Respondent

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Mr. Sandesh Deshpande for petitioner.

CORAM : AMIT BORKAR, J.

DATED : SEPTEMBER 6, 2024

P.C.:

1. By the impugned order, the Trial Court has rejected an application for appointment of the Court Commissioner in the suit for permanent injunction restraining the defendant from disturbing the petitioners' possession over the suit property.
2. The parameters of appointment of the Court Commissioner in the civil suit are well settled. In absence of dispute in relation to encroachment or boundary dispute, rejection of the application by the Trial Court need not be interfered with.
3. The writ petition is, therefore, dismissed. No costs.

(AMIT BORKAR, J.)