

Shabnoor

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

WRIT PETITION NO.16562 OF 2023

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Balwant Pandurang Yadav

... Petitioner

V/s.

Anandrao Shamrao Tambekar & Ors.

... Respondents

Mr. Vaibhav R. Gaikwad, for Petitioner.

CORAM : AMIT BORKAR, J.

DATED : JULY 5, 2024

P.C.:

1. By the impugned order, the petitioner's application for appointment of Court Commissioner in exercise of power under Order 26, Rule 9 of the Code of Civil Procedure, 1908 has been rejected.
2. The suit is filed for enforcement of pre-emption right. It is well settled that the Court Commissioner can be appointed for adjudication of dispute in relation to boundaries or encroachment.
3. In that view of the matter, there is no merit in the petition. The writ petition stands disposed of.

(AMIT BORKAR, J.)