



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO. 4079/2024

Manoj s/o Nawalkishor Tapadia
Vs.
Ajay S/o Dhananjay Daware and others

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. S.B. Mohta, Advocate for petitioner

CORAM: N.R. BORKAR, J.

DATED : 9th JULY, 2024

This petition takes exception to the order dated 10.06.2024, passed by the learned Civil Judge, Senior Division, Khamgaon, below Exh.63 in Special Civil Suit No.33/2015.

2. The petitioner herein who is the original defendant had filed application that Court Commissioner be appointed to record his evidence. By the order impugned the learned trial Court has rejected the said application.

3. The learned counsel for the petitioner submits that after passing of the impugned order by order dated 28.08.2023, the trial Court has closed the evidence of petitioner. It is submitted that petitioner is ready to appear before the trial Court on next date and opportunity be granted to the petitioner to adduce evidence.

4. In view of the above statement the order dated 28.08.2023 is set aside. The learned trial Court shall permit the petitioner to adduce evidence.

5. The petition is disposed of in the aforesaid terms. No costs.

(N.R. BORKAR, J.)

MP Deshpande