



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 2402 OF 2025

Pandit Ganpati Akkulwad

.. Petitioner

Versus

Balaji Baliram Mupde

.. Respondent

Mr. Sudhir K. Chavan, Advocate for the Petitioner.

CORAM : KISHORE C. SANT, J.

DATED : 28th FEBRUARY, 2025.

P. C. :-

. The petitioner has come to this Court challenging an order of rejection of application for appointment of a Court Commissioner. The learned Trial Court has rejected the application by observing that, the suit is for declaration of ownership, possession and perpetual injunction.

2. The learned advocate for the petitioner informs that, in fact, the prayers in the suit are for fixation of boundaries by appointing a Court Commissioner.

3. Considering that, the suit is only at the stage where the evidence is yet to start, this Court finds that, it would suffice the purpose if liberty is granted to the petitioner to apply afresh for appointment of a

Court Commissioner at proper stage. By keeping this liberty open, the writ petition stands dismissed. No order as to costs.

4. The learned Trial Court to consider the application on its own metis.

(KISHORE C. SANT, J.)

PS.B.