



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

964 WRIT PETITION NO. 4039 OF 2025

Agriculture Produce Market Committee Through Its Secretary
VERSUS

Tanaji Pramraj Gunjal Died Thr Lrs Meerabai Tanaji Gunjal And Others

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Advocate for the Petitioner : Mr. Karad Murlidhar

AGP for Respondents-State: Mr. V. K. Kotecha

Advocate for Respondents No.1A to 1D, 2A to 2E and 3: Mr. A. M. Hajare

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CORAM : ARUN R. PEDNEKER, J.

Dated : December 11, 2025.

PER COURT :-

1. Heard.
2. The suit before the Trial Court is at the preliminary stage and the issues are yet to be framed. There are disputed claims regarding the ownership of portions of the suit property. At this stage, unless evidence is led in the matter, the appointment of a Court Commissioner for demarcation of the respective properties of the parties would not be appropriate.
3. Considering the above, the impugned order dated 24/01/2025 passed below Exhibit 142 in Regular Civil Suit No. 62/2001 is set aside. However, liberty is granted to the respondent/original plaintiff to file an application for appointment of a Court Commissioner at an appropriate stage, if required. If such an application is filed, the concerned Court shall consider and decide the same in accordance with law.
4. In view of the above, the petition stands disposed of.

(ARUN R. PEDNEKER, J.)

vj gawade/-.