



IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

939 WRIT PETITION NO. 5956 OF 2024

RAJARAM DADABHAU DHAWLE AND OTHERS
VERSUS
SHIVAJI KONDIBA DHAWLE

...
Advocate for the Petitioner : Mr. Mayure Pramod C.
Advocate for Respondent : Mr. Narwade Vinayak P.

...
CORAM : ROHIT W. JOSHI, J.

DATED : 12th June, 2025

PER COURT :

1. The petitioner has challenged the order dated 07.05.2024 passed by the learned 3rd Joint Civil Judge, Senior Division, Shrigonda on an application at Exhibit-38 in Regular Civil Suit No.306/2018 appointing the Court Commissioner for measurement of disputed property.

2. Pending hearing the present petition, the order is executed. In that view of the matter, it will be appropriate not to entertain the petition at this stage, keeping all objections in respect to the measurement report open to be raised before the learned trial Court. In addition the petitioner will also have right to raise a ground with respect to appointment of Commissioner vide impugned order in the substantive appeal that may be filed having regard to Section 105 of

the Code of Civil Procedure. The petition is disposed of. No orders as to costs.

[ROHIT W. JOSHI]
JUDGE

sga/