



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

WRIT PETITION NO. 8218 OF 2023

DHONDIRAM SADURAM KAMBLE AND OTHERS

VERSUS

RAGHUNATH MAHADU KAMBLE CHOUDHARI AND OTHERS

...

Advocate for the Petitioners : Mr. Shinde Manoj Dharmaraj
Advocate for Respondent Nos. 1 to 3 : Mr. Biradar Chandrakant D.

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CORAM : SHAILESH P. BRAHME, J.

DATE : 18th FEBRUARY 2025

PER COURT :

. Heard both the sides.

2. The petitioners are challenging order dated 09.06.2023 below Exhibit-25 in RCS No.468/2019, appointing Commissioner at pre-mature stage. The evidence of the petitioner/plaintiff is underway. Application at exhibit-25 is admittedly filed, when the evidence is in progress.

3. In view of the consistent view of this Court in the matter of **Sarjerao Nathu Bangar and others vs. Namdev Keru Bangar and others** in Writ Petition No.13441 of 2019, application at Exhibit-25 is pre-mature.

4. The parties would be at liberty to resort to Order 26 Rule 9 at subsequent stages of the proceedings, if required.

5. Writ petition is disposed of by quashing the impugned order passed below Exhibit-25.

SHAILESH P. BRAHME
JUDGE

NATJEB..