



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

23 WRIT PETITION NO. 15883 OF 2023

GOVIND KASHINATH ARAGADE AND ANOTHER
VERSUS
SINDHUBAI BAPUSAHEB ARAGADE AND OTHERS

Mr.R.R. Karpe, Advocate for the petitioners.

CORAM : KISHORE C. SANT, J.
DATE : 13.01.2025

PC :-

01. Heard. At the outset, this Court wanted to know as to what is position of the suit. It is informed that only affidavit in lieu of evidence of the plaintiff is filed and he is not yet cross-examined by the defendants. The defendants at this stage filed application for appointment of Court Commissioner.

02. This Court is not inclined to entertain this writ petition as since application came be rejected, only on the ground that the application is at premature stage. The only apprehension expressed by the learned Advocate is that the Court is likely to get prejudiced by the observations made in the order, which is presently challenged in this writ petition.

03. It is made clear that if the defendant files application for appointment of the Court Commissioner, same shall be considered on its own merits, uninfluenced by the observations in the order.

04. The writ petition is accordingly disposed off.

[KISHORE C. SANT, J.]