

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIRCUIT BENCH AT KOLHAPUR

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.12591 OF 2025

Baburao Dattaram Gurav @ GoankarPetitioner

Vs.

Pramod Tukaram Gurav & Ors.Respondents

Mr. Santosh Suryawanshi, for the Petitioner.

CORAM : S. G. CHAPALGAONKAR, J.

DATED : 5th December 2025

PC.:-

1. The present Writ Petition takes exception to order dated 8th August 2025 passed by Civil Judge Junior Division, Kankavli, Sindhudurg below exhibit-39 whereby, Application filed by Petitioner/Plaintiff seeking appointment of Court Commissioner is rejected.

2. Learned advocate appearing for Petitioner after arguing for some time submits that Petitioner would bring necessary amendment in plaint to incorporate subsequent development regarding construction carried by Respondent in breach of injunction order and seeks consequential relief.

3. If such amendment is made in plaint, Plaintiff shall be at liberty to file fresh Application for appointment of Court Commissioner for inspection of construction carried after injunction order. If application is made, it shall be considered on its own merit, without impeded by impugned order in this Petition.

4. In that view of matter, Writ Petition stand **disposed of** with liberty as prayed.

(S. G. CHAPALGAONKAR, J.)