

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 5239 OF 2025

Santosh Yuvraj Chavan

..Petitioner

Versus

Sushila Gautam Patil & Anr

...Respondents

Mr. Sandeep Koregave, with Pallavi A. Karanjkar, i/b Shivaji Masal,
for the Petitioner.

CORAM: N. J. JAMADAR, J.

DATED : 22nd APRIL 2025

P.C.:

- 1.** Heard the learned Counsel for the Petitioner.
- 2.** The challenge in this Petition is to an order dated 15th February 2025, whereby the learned Civil Judge has appointed a cadastral surveyor to measure the Suit land bearing Gat No. 2835 and submit a report about the boundaries and actual possession. A question as to whether the learned Civil Judge could have appointed the Court Commissioner to submit a report in the manner indicated in the impugned order, in a Suit instituted for declaration and injunction simplicitor, arises for consideration.
- 3.** Issue notice to Respondents returnable on 18th June 2025.

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- 4.** In addition to notice through Court, the Petitioner is at liberty to serve the Respondents by private service and file an Affidavit of Service.
- 5.** Stand over to 18th June 2025.
- 6.** In the meanwhile, there shall be an ad-interim relief in terms of the prayer clause (c).

[N. J. JAMADAR, J.]