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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 6546 OF 2025**

Govind Rama Khot (since deceased through ... Petitioner
Legal Lrs)

vs.

Yeshwant Dnyanu Mane (since deceased ... Respondents
through Lrs) and Ors

Mr. Pradeep Thorat a/w. Ms. Aditi Naikare for Petitioner.

Mr. S.B. Patil i/b. N.Pawar for Respondent No. 3B (through VC).

CORAM : GAURI GODSE, J.

DATED : 17th JUNE 2025

ORDER:

1. This petition is filed by the plaintiff to challenge the order passed below Exhibit-137 rejecting the petitioner's prayer for appointment of Court Commissioner, in the petitioner's suit.
2. Learned counsel for the petitioner submits that the suit is posted for recording evidence. He therefore seeks leave to withdraw the application at Exhibit-137 with liberty to file appropriate application at appropriate stage.
3. Leave granted. The petitioner is permitted to withdraw the application at Exhibit-137 with liberty to file appropriate application at appropriate stage as permissible in law.

4. The rival contentions of the parties on merits are kept open.
5. In view of withdrawal of the application at Exhibit-137, the impugned order dated 20th February 2025 is quashed and set aside.
6. Writ Petition is disposed of in the aforesaid terms.

(GAURI GODSE, J.)