IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.

Writ Petition No. 460 of 2025

[Shri Ajay Vasantraoji Zade ..vs.. Shri Baban Vithobaji Asutkar and anr.]

Office Notes, Office Memoranda of Coram, appearances, Court's orders of directions and Registrar's orders	Court's or Judge's orders

Mr. A. M. Chandekar, Advocate for the petitioner

CORAM : ANIL L. PANSARE J.

DATED : 27-01-2025

Heard.

The petitioner-plaintiff filed application for appointment of Commissioner to examine Surveyor Mr. R. A. Indapawar on the ground that he is old aged person suffering from various ailments. The application came to be rejected vide order dated 6-1-2024. Thereafter, the petitioner filed affidavit of chief-examination of the Surveyor and made a request to appoint Commissioner for the purpose of cross-examination. Even, this application came to be rejected by order dated 27-6-2024. The petitioner then made yet another request to permit cross-examination of Surveyor through video conference. This request has been also turned down by order dated 7-11-2024.

The end result is that an old aged person suffering from various ailments will have to appear before the Court physically.

Considering the case put up by the petitioner, issue notice, made returnable in three weeks.

In the meantime, the proceedings in Regular Civil Suit No. 54/2016 pending before the Civil Judge Senior Division, Warora shall stand stayed.

(Anil L. Pansare, J.)

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Signed by: Mr. A. Y. Wasnik
Designation: PA To Honourable Judge
Date: 27/01/2025 18:36:22