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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 12551 OF 2015

Mrs. Pramila Laxman Bhosale … Petitioner

Vs.

Mr. Rajkumar Debu Dekule … Respondents

None for the Petitioner.

CORAM : GAURI GODSE, J.

DATE : 8th JANUARY 2026

ORDER :

1. Pursuant to order dated 23rd September 2025 notice was issued to the petitioner. As per office remark dated 7th January 2026 court notice issued to the petitioner is returned unserved with remark ‘not staying at given address’. None appears for the parties in the matter.

2. The petition is filed by the original plaintiff to challenge the order passed by the trial court rejecting the application for appointing DILR as Court Commissioner.

3. The impugned order is purely an interlocutory order. No prejudice is caused to the petitioner. It is always open to the petitioner to lead his independent evidence.

RAJESHWARI RAMESH PILLAI
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4. Normally, court should be very slow in interfering with such an interlocutory order in its discretionary jurisdiction under Article 227 of the Constitution of India. Moreover, in view of Section 105 of the Code of Civil Procedure, 1908 (“CPC”) the impugned order can always be challenged in an appeal against the decree which may be passed in the suit, in the event the decree is adverse to the petitioner.

5. Subject to the aforesaid observations, the petition is dismissed while keeping rights and contentions of the parties in the suit open.

[GAURI GODSE, J.]