

MHAU130000052002



ORDER BELOW EXH.102 IN R.C.S. No. 36/2010

(Haji Lal Vs. MCA)

1. Plaintiffs have filed this application for calling Court Commissioner i.e. Surveyor S.T. Mhaske for cross-examination as per Order XXVI Rule 10 of C.P.C.
2. Plaintiffs have submitted that Court Commissioner Report and Map is submitted before this court on 05.05.2021 which is at Exh.96. This court has asked parties to give their say. Both plaintiffs and defendant have given objection to Court Commissioner Report. Hence, Court Commissioner be called for cross-examination.
3. Defendant has given no objection for calling Court Commissioner for cross-examination.
4. I heard learned counsel for parties.
5. I perused this application and say submitted. I consider that in the interest of justice, it is necessary to call Court Commissioner for cross-examination subject to payment of witness bhatta. Said surveyor is government servant. Hence he cannot be paid witness bhatta in his hand. Therefore I pass this order.

ORDER

Court Commissioner Surveyor S.T. Mhaske be called for cross-examination by plaintiff and defendant subject to deposit of witness bhatta of Rs.1,000/- (Rs. One Thousand only) in the Court.

Date - 19.09.2022

(Smt. S.N. Morwale),
Civil Judge Senior Division
(Corporation Court), Aurangabad.

CERTIFICATE

I affirm that the contents of this P.D.F. file Order are same, word to word, as per the original Order.

Name of the Stenographer	:	S.V. Kondekar, Stenographer (Grade-2)
Court	:	C.J.S.D. (Corporation Court), Aurangabad.
Date	:	19.09.2022
Order signed by the presiding officer on	:	19.09.2022
Order uploaded on	:	19.09.2022