

MHPA010011142008

Pratibha Krishna Jadhav

VersusLaxmibai Ganpatrao Jadhav &
Oth.**ORDER BELOW EXH.83**
(Passed on 08.06.2026)

This is an application filed by applicant for appointment of Court Commissioner to record an evidence of three witnesses:- i) Dr. Raju Mahagaonkar or Medical Practitioner, Seth Nandlal Dhut Hospital, Chikalthana Road, Chatrapati Sambhajinagar, ii) Pharmacist/Manager, Seth Nandlal Dhut Hospital, Chikalthana Road, Chatrapati Sambhajinagar, iii) Pharmacist/Manager, Vishwas Medical and General Stores, opposite Lokpatra, near Dhut Hospital, Chatrapati Sambhajinagar.

2. Respondents and their learned counsel are absent. No say on behalf of respondents. Matter is time bound as per direction of Hon'ble High Court. Therefore, this court proceeded without say and argument of respondents.

3. The aforementioned three witnesses are Medical Practitioner and personnel. Certainly they are busy in discharging their duty. Chatrapati Sambhajinagar is far away from Parbhani. Therefore, considering the nature of their evidence i.e. to prove the discharge card, hospital bill, medical bills; it is desirable to record their evidence through court commissioner, to save the time and avoid inconvenience of Medical Practitioner and Pharmacist. No prejudice will cause to the respondents, if evidence of aforementioned witnesses is recorded

through court commissioner.

4. Learned counsel for applicants has filed pursis at Exh.84 and thereby suggested the name of court commissioner i.e. Shri D. S. Dakhore Advocate, Parbhani. He also made submission that he has made contact with the learned counsel of respondents and he also suggested the same name. Hence, I pass following order.

ORDER

1. Application (Exh.83) is allowed.
2. Shri D. S. Dakhore, Advocate is appointed for recording evidence of aforementioned three witnesses; subject to conditions:
 - i) Applicant/petitioner shall bear the traveling expenses of court commissioner from Parbhani to the place of recording evidence of witnesses at Chatrapati Sambhajinagar.
 - ii) Applicant/petitioner shall deposit Rs.5,000/- towards the fees of court commissioner excluding traveling expenses.
3. Issue writ to the court commissioner subject to above condition.
4. Both parties, their learned counsels and the concerned witnesses shall co-operate the court commissioner in recording evidence, as the matter is time bound as per the direction of Hon'ble High Court, Bombay Bench at Aurangabad.
5. Court commissioner shall submit his report on or before 29/6/2026.

Date : 08.06.2026.

(N.P. Tribhuwan)
District Judge-1, Parbhani.

Arguments heard on	08.06.2026
Judgment/order delivered on	08.06.2026
Dictated on	08.06.2026
Typed on	08.06.2026
Checked and signed on	08.06.2026

CERTIFICATE

I affirm that the contents of this PDF file Judgment/order is same and as per the original Judgment/order.

Name of Stenographer	:	Ramesh Annasaheb Kagbatte
Name of the Court	:	Addl. Sessions Judge-1, Parbhani
Date of Judgment/order	:	08.06.2026
Judgment/order signed on	:	08.06.2026
Presiding Officer	:	N.P. Tribhuwan
Judgment/order uploaded on	:	08.06.2026