
(2013) 11 RAJ CK 0007
In the Rajasthan High Court
Case No : Civil Writ Petition No. 20540/2013

Parsadi

APPELLANT

Vs

Ramley

RESPONDENT

Date of Decision : 29-11-2013

Acts Referred:

Citation : (2014) 3 WLN 306

Hon'ble Judges : Bela M. Trivedi, J

Bench : Single Bench

Final Decision : Dismissed

Judgement

Bela M. Trivedi, J.—The present petition filed under Art. 226 and 227 of the Constitution of India is directed against the order dt. 23.10.2013 passed by the Gram Nyayalaya, Gangapurcity, District Sawai Madhpur (hereinafter referred to as "the trial Court") in Civil Suit No. 51/11, whereby the trial Court has dismissed the application of the petitioners-plaintiffs for exhibiting the the sale-deed dt. 24.04.2004. It is submitted by the learned counsel Mr. Asgar Khan for the petitioners-plaintiffs that the sale-deed dt. 24.04.2004 was sought to be produced by the petitioners in the suit for permanent injunction in respect of the property in question, however the same has not been permitted to be exhibited by the trial Court on the ground of being not registered and not duly stamped. According to him the said document could be relied upon for collateral purposes and, therefore, the same was required to be exhibited.

2. It appears that the petitioners-plaintiffs have filed the suit seeking permanent as well as mandatory injunction against the respondents-defendants in respect of the suit property relying upon an unregistered sale-deed dt. 24.04.2004. It is settled legal proposition of law that any document which requires registration under the Registration Act and duly stamped under the Rajasthan Stamps Act, could not be read in evidence unless proper stamp duty is paid under the Rajasthan Stamps Act. The trial Court having rightly not exhibited the said document, the same having not been duly registered and stamped, this Court

does not find any substance in the present petition. Hence the writ petition is dismissed.