

THE HON'BLE SRI JUSTICE DILIP B.BHOSALE

CIVIL REVISION PETITION No.1216 of 2014

-
P.C.:

Heard learned counsel for the parties.

This Civil Revision Petition is filed against the order, dated 09.12.2013 passed by the Court below deciding the question whether a memorandum of oral gift, dated 08.01.2003, requires registration. The Court below in view of the judgment of the Honourable Supreme Court in **Hafeeza Bibi and others v. Shaikh Farid (dead) by L.Rs., and others** ^[1], held that the memorandum of oral gift in question can be admitted in evidence without registration.

I have perused the order and the judgment of the Honourable Supreme Court in **Hafeeza Bibi's** case (supra), in particular paragraphs 27, 28 and 31. Keeping the observations made in these paragraphs in view, when I expressed that the issue of registration can be kept open to be considered after recording of the evidence, learned counsel for the parties have agreed for the following order:

The issue of registration of the document and payment of stamp duty is directed to be considered and decided by the Court below after allowing the parties to lead evidence in the case and before the final arguments are advanced by the parties.

With these observations, the Civil Revision Petition is disposed of. In view of this order, the order passed by the Court below renders ineffective. All contentions of the parties in respect thereof are kept open.

Consequently, miscellaneous petitions, if any, also stand

disposed of.

DILIP B.BHOSALE,J

Dt:13.03.2015

GJ

[\[1\]](#) AIR 2011 SC 1695