

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CR No.1533 of 2013 (O&M)
Date of decision: 10.12.2015**

Ram Diya Verma

... Petitioner

versus

Mehar Singh and another

.... Respondents

CORAM: HON'BLE MR. JUSTICE K. KANNAN

Present: Mr. V.S. Rana, Advocate for the petitioner.

None for the respondents.

K.Kannan, J.

The plaintiff who obtained an order of injunction seeking for protection against disturbance by the defendant in the suit for specific performance was relying on an unregistered agreement of sale. The defendant contested that Section 53 A of the Transfer of Property Act benefit cannot be extended by virtue of the requirement of registration specified under Section 53A read with Section 17(1A) of the Registration Act. The Court held that the said provision does not render an unregistered document null and void.

While an unregistered sale agreement cannot make it null and void, it is a moot point whether the plaintiff could obtain an order of injunction to protect his possession purporting to hold such possession under an agreement of sale. I am not now prepared to modify an order of injunction already granted, but, surely if the plaintiff was seeking for further police protection, it cannot be granted. The Court below had declined the relief and I will not make any interference with regards to the same.

The civil revision petition is dismissed with above observations.

10.12.2015

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**(K.KANNAN)
JUDGE**