

THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

CIVIL REVISION PETITION NO.1309 OF 2016

ORDER:

This revision, under Article 227 of the Constitution of India, is preferred against the order passed by the Learned Junior Civil Judge, Gajuwaka in I.A. No.831 of 2015 in O.S. No.205 of 2011 dated 20.11.2015.

I.A. No.831 of 2015 was filed to send the suit document i.e., unregistered agreement dated 15.11.2005 to the District Registrar, Stamps for impounding for the purpose of payment of stamp duty and penalty as stated in the petition. The petitioner herein opposed the said application, and filed a detailed counter-affidavit. However, by the order under revision, the Court below directed that the suit document be sent to the District Registrar, Stamps for impounding and payment of stamp duty and penalty.

Sri G. Tuhin Kumar, Learned Counsel for the petitioner, would submit that none of the several contentions, urged by the petitioner in the counter filed by them, were considered by the Court below; and, by a cryptic order, the document was sent to the Registrar for impounding and payment of stamp duty and penalty.

It is not in dispute that the said document is an unregistered agreement, and is not stamped. It is for this reason that the application filed, for impounding of stamp duty and payment of penalty, was ordered. The contentions, urged with regards the validity of such a document or its contents, would still be open to be canvassed by the petitioner herein, even after stamp duty and penalty is paid, and even after the said document is marked as an exhibit.

I see no reason, therefore, to entertain this revision under Article

227 of the Constitution of India. The Civil Revision Petition fails and is, accordingly, dismissed. The miscellaneous petitions pending, if any, shall also stand dismissed. No costs.

RAMESH RANGANATHAN, J

Date: 11.03.2016.
MRKR