

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

Second Appeal No.538 of 2015
(Ramdas Maroti Girhepunje v. Dhanraj Nathhuji Kadav)

Office Notes, Memoranda of Coram,
appearances, Court's orders or directions Court's or Judge's orders
and Registrar's order

Shri S.S. Ghate, Advocate for Appellant.

Coram : R.K. Deshpande, J.
Date : 19th January, 2017

The Trial Court passed a decree for specific performance of contract dated 20-1-2005 at Exhibit 32, whereas the lower Appellate Court has reversed the findings of the Trial Court and the suit has been dismissed.

The case of the plaintiff is that he was put in possession of the part performance of contract under the agreement dated 20-1-2005 at Exhibit 32 and he had paid the entire amount, except the balance of Rs.5,525/-. The lower Appellate Court holds that the document was required to be compulsorily registered under Section 17(1-A) of the Registration Act, 1908, and since it was not registered, it is not admissible in evidence. It has, therefore, reversed the finding of enforcement of contract recorded by the Trial Court.

No substantial question of law arises for consideration.

The second appeal is dismissed.

Judge.

Lanjewar