

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

CIVIL REVISION PETITION No.1325 of 2017

ORDER:

The present Civil Revision Petition is filed, assailing the docket order dated 22.11.2016 passed in O.S.No.104 of 2014 by the Senior Junior Civil Judge, Puttur, whereby the Court below refused to mark the document viz., Agreement Letter dated 14.04.1992.

Heard the learned counsel for the petitioner and perused the material on record.

O.S.No.104 of 2014 came to be filed seeking partition of the plaint schedule properties. When the case was posted for the evidence of DW.1, petitioner-1st defendant wanted to mark the agreement letter dated 14.04.1992, as an exhibit. The Court below refused to give permission for marking of the said document, on the ground that the same is not a registered document and sufficient stamp duty is not paid. Aggrieved by the same, present revision is filed.

As seen from the material on record, petitioner intends to use the said document dated 14.04.1992 as a substantial piece of evidence. Admittedly, the said document is an unregistered document. In the absence of paying sufficient stamp duty, the document cannot be used as substantial piece of evidence. As such, the Court below rightly refused to mark the said document. I see no perversity or irregularity in the impugned order.

Therefore, the Civil Revision Petition is dismissed.

Miscellaneous petitions pending in this revision, if any, shall stand closed. No costs.

JUSTICE C. PRAVEEN KUMAR

17.03.2017
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