

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 5441 OF 2017

MAGAN SHENPADU PAWAR
VERSUS
VITTHAL DAYARAM MALI AND OTHERS

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Advocate for Petitioner : Mr. Dhongade Anilkumar B.
Advocate for Respondents : Mr Barahate Yuwaraj R. For
R/2 To 5,7,8, Mr Desale Nilesh N. For R/1
R/6 Deleted

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CORAM : V.K. JADHAV, J.
Dated: January 17, 2018

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PER COURT :-

1. By filing an application exh.94 in Special Civil Suit No.244/2011 original defendant no.5 has raised objection that the agreement of sale exh.86 is insufficiently stamped and it cannot be admitted in evidence unless deficit stamp duty is paid. After hearing the parties, the learned judge of the trial court has overruled the said objection and rejected the application exh.94. Hence, this writ petition.

2. The learned counsel appearing for both the parties submits that, trial court has finally heard the parties to

the suit and reserved the matter on 19.1.2018 for pronouncement of the judgment.

3. In view of the same, I am not inclined to consider this writ petition since the trial court has already reserved the matter for pronouncement of the judgment. Writ Petition accordingly disposed of. No costs.

(V.K. JADHAV, J.)

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