

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 122 OF 2016

Digambar Sadashiv Govardhane
and anr. .. Petitioners
vs.
Shashikant H. Jadhav and ors. .. Respondents

Mr. Sachin Gite for the Petitioner.

CORAM : M. S. SONAK, J.
DATE : 05 APRIL 2019.

P.C. :-

- 1] Heard Mr. Gite, learned counsel for the petitioners.
- 2] The challenge in this petition is to the order dated 9th October 2015 by which learned Trial Judge rejected the petitioners' application objecting to taking on record certain documents on the ground that they were not sufficiently stamped and they were not registered.
- 3] According to me, the issue as to whether the agreement for sale where possession is not to be delivered at the stage of agreement but to be delivered at the stage of execution of the sale deed being a conveyance compulsorily registrable or not is an arguable issue. Therefore, the interests of justice will be served if, the impugned order is not disturbed at this

stage but liberty is granted to the petitioners to challenge the impugned order by resort to the provisions of section 105 of CPC, if and when, occasion for the same arise.

4] Therefore, with liberty as aforesaid and keeping open all the contentions of the petitioner as well as the respondents as raised in this petition, this petition is disposed of.

5] The interim order granted earlier is vacated.

6] All concerned to act upon an authenticated copy of this order.

(M. S. SONAK, J.)