



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

SECOND APPEAL NO.235 OF 2025

Raju @ Rajesh s/o. Haribhau Bhoyar **Vs.** Smt. Shantabai w/o. Sakharamji
Pradhan and ors

*Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order*

Court's or Judge's Order

Mr. A. A. Pannase, Advocate for appellant.

CORAM : ROHIT W. JOSHI, J.

DATE : 03.10.2025.

. The respondent No.1 who is the original plaintiff had filed a suit for possession with respect to suit property against the present appellant, respondent Nos.2 and 3 herein. The present appellant opposed the suit claiming to have purchased the suit property from respondent No.2.

2. It is the case of appellant and respondent No.2 that the respondent No. 1 (plaintiff) had relinquished the suit property in favour of respondent No.2 and that the appellant purchased the same from respondent No.2.

3. It is undisputed that the alleged relinquishment deed is an unregistered document and further that, there is no sale deed executed by respondent No.2 in favour of the present appellant.

4. Since the relinquishment deed is an unregistered document it cannot have the effect of transferring the title over the suit property vested with the respondent No.1 to respondent No.2.

5. Likewise, since the respondent No.2 and present appellant are claiming through the respondent No.1 (plaintiff) her title over the suit property also cannot be disputed. Moreover, the present appellant does not have any registered Sale Deed or other title document in his favour except for a letter of possession.

6. In that view of the matter, in the considered opinion of this Court, both Courts have rightly decreed the suit for possession filed by the respondent No.1. No substantial question of law arises for consideration. Therefore, the second appeal stands **dismissed**. No order as to costs.

(ROHIT W. JOSHI, J.)

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