



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

SECOND APPEAL NO.319 OF 2025

Sunita Madhukar Tantarapale **Vs.** Puranlal Bhimrao Kunde 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. P. Dubey, Advocate a/w. Mr. S.S. Upadhyay, Advocate for
appellant.

CORAM : ROHIT W. JOSHI, J.

DATE : 10.11.2025.

. The plaintiffs' suit for possession of the immovable property is decreed by both the learned Courts. Undisputedly, the present appellant, who is the original defendant, is claiming title over the suit property on the basis of an unregistered sale deed stated to be executed in her favour by one Sharad Kunde, who is brother of the plaintiffs. It is well settled that an unregistered sale deed cannot have the effect of transferring the property. It will also be pertinent to state that it is the case of the appellant/defendant that Sharad became the owner of the suit property by virtue of a gift deed executed in his favour by his mother. Undisputedly, the said gift deed is also an unregistered document.

2. Since it is the case of the defendant that her vendor, Sharad, acquired the property from his mother by virtue of the said gift deed and it is not disputed that the plaintiffs are the legal heirs of their mother, through

whom the defendant's vendor claims title, the title of the plaintiffs cannot be disputed by the defendant.

3. In view of the above, in the considered opinion of this Court, no substantial question of law arises for consideration in the second appeal.

4. The second appeal is therefore, **dismissed**, with no order as to costs.

(ROHIT W. JOSHI, J.)

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