



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

WRIT PETITION NO.4511 OF 2024

Rajkumar S/o. Sabhagchand Hirani and Another
Vs.
Chandrakant @ Chandralal Ashokdas Budhrani

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. V.R. Mishra, Advocate for the Petitioners.
Mr. B.M. Kharkate, Advocate for the Respondent.

CORAM: SIDDHESHWAR S. THOMBRE, J.

DATED : 14th OCTOBER, 2025

1. Heard Mr. V.R. Mishra, learned counsel for the petitioners and Mr. B.M. Kharkate, learned counsel for the respondent.

2. The petitioners are challenging the order dated 17.07.2023 below Exh.22 passed by the 3rd Joint Civil Judge Senior Division, Wardha in Regular Civil Suit No.92/2016, whereby, the application filed by the petitioners (original plaintiffs) for impounding the agreement of sale dated 18.03.2005. The learned Trial Court has rejected the said application, only on the ground that the said document is unregistered and does not bear the date.

3. I find that the order passed by the learned trial Court, is not sustainable in the eyes of law, as the document is unregistered one and the parties want to impound the said document, which needs to be taken

into consideration. It is not a case where the impounded document can be admitted automatically. The parties are supposed to prove the same by leading the evidence in the trial.

4. In view thereof, the writ petition is **allowed**. Order below Exh.22 dated 17.07.2023 passed by the 3rd Joint Civil Judge Senior Division, Wardha is hereby quashed and set-aside. Application for impounding of documents filed by the petitioner at Exh.22 is allowed.

(SIDDHESHWAR S. THOMBRE J.)

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