

ORDER ON IA NO.4 FILED UNDER SECTION 33 OF
KARNATAKA STAMP ACT.

The plaintiff has filed the present application praying to impound the consent agreement document for collection of duty and penalty for marking of the said document on his behalf.

2. The applicant has contended that the defendants have executed the consent agreement deed in favour of the plaintiffs. The said document is made on the stamp paper of Rs.50/-. The marking of said document is necessary in the present case. On the said material grounds the plaintiff has prayed for allowing the present application.

3. The defendants have not filed any objections to the present application.

4. Heard the arguments on the present application.

5. Perused the records the plaintiff has produced one unregistered, consent agreement deed dated 26-10-2014.

6. The plaintiff has filed the present suit for the relief of partition and separate possession against the defendants. The plaintiff has contended that, the consent agreement deed dated 26-10-2014 is required to be marked on behalf of the plaintiff. The said document is on the stamp paper of Rs.50/-. The plaintiff has contended that the same is not properly stamped. He is intended to mark the said document in his evidence.

7. Hence, considering the materials on record and considering the grounds of the application it appears that the said document appears to be not properly stamped. A serious doubt arises as to payment of proper stamp duty on the said document. Hence the impounding of the said document appears to be necessary in the present case. Hence the present application is required to be allowed.

Hence IA No. 4 filed by the plaintiff is hereby allowed.

The consent agreement deed dated 26-10-2014 is hereby impounded.

Office is hereby directed to call for report from the Sub-registrar regarding the stamp duty with respect to the said document as on the date of said document if PF paid.

Senior Civil Judge and JMFC,
Afzalpur