

This is the suit filed by the plaintiff for the relief of Specific Performance of the contract against the defendant. The plaintiff has relied unregistered Sale agreement dated 27.09.2021. The said document is insufficiently stamped document. Hence, as per Karnataka Stamp Act, the Plaintiff has to pay deficit Duty and Penalty. Further, the said document produced by the plaintiff cannot be marked in evidence unless stamp duty is paid and said document can be admitted in evidence only on payment of stamp duty as payable on the agreement of sale. Under such circumstances, unless stamp duty is paid on the document as required to be paid on the agreement of sale, said document is not admissible in the evidence. In view of decision rendered by the Hon'ble Apex Court in Seetharama Shetty v. Monappa Shetty reported in 2024 INSC 650, it is just and necessary to refer unregistered sale deed dated:27.09.2021 to the District Registrar, Mysore for determination of the duty and penalty and also for collect the Duty and Penalty. Hence, this court proceed to pass the following,

ORDER

The unregistered agreement of sale dated:27.09.2021 stands impounded.

Office is directed to send the above said document to the district registrar, Mysore for determination of the duty and penalty and also for collect the Duty and Penalty with a direction to resend the said document after making necessary entry.

Await document. Call on 08.01.2026

I Addl. Civil Judge & JMFC.,
Nanjanagudu.