ORDERS ON IA NO.V

Sri.M.D.P. Advocate for defendant filed this application U/Sec.34 of Stamp act to permit to pay the deficit stamp duty with penalty.

2. In the memo of fact contended that now the case is posted for further chief of DW.1. The defendant produced the agreement of sale which was not duly stamped. The defendant ready to pay the deficit stamp duty with penalty. Hence prays to allow the application.

3. On the other hand the plaintiff filed objection. In the objection contended that the contents of the memo of facts are all false. The district registrar was submitted the report to the court on 16.07.2024 but the defendants fail to hear on order of the district registrar. Hence application is not maintainable. To drag on the case filed this application. Hence prays to reject the application.

4. Heard both sides.

5. After going through the materials available on record the plaintiff filed this suit for declaration, permanent injunction against the defendants. The defendant contended that he is ready to pay the deficit stamp duty on penalty on unregistered agreement of sale. The plaintiff filed objection contended that on 16.07.2024 district registrar submitted the report. After verifying the

records the sub-registrar Devadurga submitted the list of market value of the properties. But as per provision of Stamp Act the document which are not properly stamp is to be impounded act refer it to district registrar for calculation of deficit stamp duty and penalty. Hence under such circumstance it is necessary to allow the application. Hence, this Court proceed to pass the following;

ORDER

IA No.V filed by the defendants U/Sec.34 of Stamp Act is hereby allowed.

Office is directed to send the copy of the un-registered agreement of sale dated 20.07.2005 to the District Registrar Raichur to calculate the deficit stamp duty with penalty.

Office is further directed to keep the one set copy in the case file.

Call on 20.08.2025

Senior Civil Judge and J.M.F.C.,
Devadurga.