

Shri. Vilas Patil Vs.
Smt. Sujata Patil & ors.

ORDER BELOW EXHIBIT NO.15 IN
REG. CIVIL SUIT NO.324/2018

This is the application filed by plaintiff seeking to withdraw the copy of agreement dated 14/06/2005 for paying deficit stamp on it. He is ready to keep the photocopy of said agreement on record till getting original after paying necessary stamp on it. Therefore, he prayed to allow him to withdraw the original copy of agreement.

02. On the contrary defendants objected instant application. According to defendants, why plaintiff has not paid deficit stamp on said agreement before filing it on record. According to him, the instant application is filed only in order to prolong the matter. Thus, they prayed to reject the application.

03. I have heard Ld. Advocates for both the parties. The plaintiff alongwith list Exhibit No.3 at serial No.2 produced the original copy of agreement dated 14/06/2005. Admittedly, the said agreement is unregistered. The section 33 of Maharashtra Stamp Act made obligation on the court to refer the unregistered agreement for impounding. Here in the case plaintiff himself wants to pay deficit stamp on said agreement and also wants to register same as per the provisions of Maharashtra Stamp Act. The plaintiff has produced on record alongwith list Exhibit No.17 the letter of Stamp Collector, Kolhapur, wherein it discloses that, already plaintiff has deposited deficit stamp and fine to Stamp Collector, Kolhapur. Thus, I found it

appropriate to handover the original agreement to the plaintiff for further necessary comply as per section 41 of the said Act which mentioned in letter of Stamp Collector, Kolhapur dated 13/08/2019. Hence, I proceed to pass following order.

ORDER

1. The original agreement dated 14/06/2005 be handed over to the plaintiff for compliance of letter of Stamp Collector, Kolhapur dated 13/08/2019.
2. The plaintiff shall placed on record verified copy of said agreement.
3. The concerned clerk is directed to make necessary endorsement on list alongwith this document is filed on record.

(Dictated and pronounced in open Court)

Ichalkaranji.
Date: 04/01/2020.

(P.M.Mane)
4th Jt. Civil Judge, Junior Division,
Ichalkaranji.

I affirm that the contents of this P.D.F. file Judgment/Order are same, word to word, as per the original Judgment/Order.

Name of stenographer	R. D. Patil.
Name of Court	P. M. Mane, 4 th Jt. Civil Judge Jr. Dvn. and Judicial Magistrate First Class, Ichalkaranji.
Date of Dictation	04/01/2020
Order signed by P.O. on	04/01/2020
Order uploaded on	06/01/2020