



Baburao Gangaram Shivangekar

Vs.

Bharmu Vaiju Patil & Ors.

1. This is an application filed by the plaintiffs for impounding their two documents i.e. unregistered sale deeds dated 12-02-2015 and 20-12-2017 in respect of the suit properties relied upon by the plaintiff and annexed with the Exh. 3 to the plaint. According to them, they have purchased the suit properties from the def. No. 1, and the they have to challenge the sale-deeds executed by the defendants. As per Section 34 of The Maharashtra Stamp Act, 1958 an instrument shall be inadmissible in evidence if the same is not duly stamped and same document cannot be used in evidence for collateral purpose. Therefore, the plaintiffs filed this application under Sub-section 3 of Section 32A of the Stamp Act.

2. The defendant No. 1 to 9 not filed say. However, def. No. 10 to 14 filed their say and submitted that they have no objection to send the documents foe impounding. Perused the application, say of the defendants and two unregistered sale-deeds dated 12-02-2015 and 20-12-2017 in respect of the suit properties.

3. The plaintiffs are required to impounded those unregistered sale deeds u/s 33 and 34 of The Maharashtra Stamp Act, 1958. Therefore, the plaintiffs are directed the collect the two original unregistered sale-deeds from the record and submit it to the office of Collector, Kolhapur to collect deficit stamp as per Rules. Therefore, considering submission of the plaintiff and settle position of law I pass following order.

:- ORDER :-

- a) The application is allowed.
- b) Two sale-deeds i.e. documents i.e. unregistered sale deeds dated 12-02-2015 and 20-12-2017 in respect of the suit properties shall be return to the plaintiffs for impounding of documents as per section 31 and 32 of The Maharashtra Stamp Act, 1958.
- c) No order as to costs.

Place :- Gadhinglaj
Date:- 25-11-2025

(S. C. Havelikar)
Jt. CJSD, Gadhinglaj, Kolhapur