


MHKO150000732021 	<p style="text-align: center;"><u>ORDER PASSED BELOW EXH. 27 IN</u> <u>R.C.S. No. 17/2021</u></p> <p style="text-align: center;">Baban Powar vs. Pandurang Powar</p>
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1. In the instance case, the plaintiff tendered the agreement to sell dated 01.10.2015 in evidence. I have gone through it. It seems that, the plaintiff has filed the present suit for specific performance. It is alleged by the plaintiff that, the defendant has executed agreement to sell of suit property. The consideration of suit property was decided Rs. 15,000/-. The agreement which is attached at Exh. 29/1 speaks volume that, the possession of the suit property was handed over to the plaintiff on the date of agreement itself. It is pleaded by the plaintiff that, the possession of the suit property is with him by virtue of the agreement to sell. Thus, in true sense, the agreement dated 01.10.2015 is conveyance. Therefore, it required the stamp duty as chargeable to the sale-deed. However, it was executed on the stamp of Rs. 100/-. So, it needs to be impounded. Therefore, unless it is duly stamped, it cannot be read in evidence. Hence, I pass the following order,

ORDER

1. The agreement dated 01.10.2015 which is executed on Rs. 100/- stamp paper (MU 141733) is hereby impounded and sent to the Collector of stamp for the recovery of necessary stamp duty.
2. The necessary endorsement about the impounding be made on the agreement.
3. The plaintiff is hereby directed to comply the aforesaid order within two months and shall bring necessary certificate from the Stamp Collector.
4. Issue Letter accordingly.

sd/-

(S. P. Jadhav)

Civil Judge, J.D., Ajara.

Date :- 16/04/2024.

Certificate

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 the Stenographer	Mrs. Y.S. Chavan
Name of Court	C.J.J.D. Ajara
Judgment / Order dictated on	16.04.2024
Judgment / Order typed on	16.04.2024
Judgment / Order signed by the P. O. on	16.04.2024
Judgment / Order uploaded on	16.04.2024