

RSA 134/2014

BEFORE

THE HON'BLE MR JUSTICE B.D. AGARWAL

Heard Mr. D. Baruah, learned counsel for the appellant and Mr. GN Sahewalla, learned Sr. counsel appearing for the respondents.

This regular second appeal is admitted for hearing on the following substantial questions of law:

(i) Whether the term 'same portion of the property' appearing in Section 28 of the Registration Act, 1908 means two different and distinct properties or portion of the same property ?

(ii) Whether a Deed of Sale registered in conflict with the provisions of Section 28 of the Registration Act, 1908 would convey a valid title ?

(iii) Whether in absence of any challenge to the findings of the learned Trial Court that the plaintiffs have no right, title and interest over the suit land, the learned court below was justified in setting aside the Deeds of Sale dated 28.06.1993 and 07.07.1993 made in favour of the Appellants herein?

Call for the records.

Issue notice upon the proforma respondents.

Notice is returnable by 11.8.2014.