

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

Writ Petition No. 241 of 2025

reejee Earth Movers, Nagpur, through its partner, Shri Rahul M. Mandhanian ..vs.. Smt. Nilima
W/o Vijay Orkay]

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. R. M. Sharma, Advocate for the petitioner

CORAM : ANIL L. PANSARE J.

DATED : 15-01-2025

Heard.

The petitioner (plaintiff) – tenant has filed suit for injunction against the respondent (defendant) – landlord to not disturb his possession without following due process of law. The respondent – landlord filed counter claim for possession. The petitioner's evidence is completed. The respondent is in witness box. He intended to rely upon unregistered leave and licence agreements entered into by and between the parties, amongst other documents, of which, one is for 66 months and another for 22 months. The petitioner objected to exhibit the documents.

Learned counsel for the petitioner submits that the trial Court has rejected the objection on the count that the documents under question are duly stamped. He submits that the trial Court has not considered the effect of Section 49 of the Registration Act, 1908.

Issue notice, returnable in three weeks.

In the meantime, the proceedings before the trial Court shall stand stayed.

(Anil L. Pansare, J.)

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