



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

SECOND APPEAL NO.24/2026

Shoaib s/o Gulam Rasul Qureshi

...Versus...

Mohd. Shakil Abdul Gaffur Malnas and another

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

Court's or Judge's orders

Mr. P.R. Agrawal, Advocate for appellant

CORAM : ROHIT W. JOSHI, J.

DATE : 22/01/2026

1. Issue notice to the respondents on the following substantial question of law :-

Will a registered sale-deed not prevail over a prior unregistered agreement of sale, when the prospective purchaser under the prior agreement was not placed in possession of the suit property ?

2. Notice is made returnable on 12/02/2026.
3. Appellant is permitted to serve the respondents by speed post, in addition to regular mode of service and file affidavit of service on record before the returnable date.

CIVIL APPLICATION (CAS) NO.41/2026

1. Issue notice to the respondents, returnable on 12/02/2026.

2. Applicant is permitted to serve the respondents by speed post, in addition to regular mode of service and file affidavit of service on record before the returnable date.

3. Since substantial question of law is framed in the appeal, parties are directed to maintain *status quo* till the returnable date.

(ROHIT W. JOSHI, J.)

Wadkar