

**HIGH COURT OF JUDICATURE FOR RAJASTHAN BENCH AT
JAIPUR**

S.B. Civil Second Appeal No. 7 / 2017

Deendayal

----Appellant

Versus

Phoola Thr Lrs

----Respondent

For Appellant(s) : Mr. Ravi Shankar

For Respondent(s) :

HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA

Order

01/05/2017

Admit.

Learned counsel for the appellant submits that the First Appellate Court while partly allowing the appeal has committed perversity of the Justice and the substantial questions of law which requires to be answered in the present second appeal is "whether the agreement said to have been executed between the parties would be admissible in evidence without the same having substantial stamp duty and penalty paid on the amount."

Secondly, "whether the First Appellate Court could have returned a finding in spite of the document regarding payment of 19,300/- not been exhibited before the Trial Court."

Issue notice, returnable within four weeks.

In the meanwhile, the operation of the order dated 13th November, 2016 passed by the Appellate Court shall remain stayed.

(SANJEEV PRAKASH SHARMA) J.

Anu/27



सत्यमेव जयते