

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 19580 OF 2017

(Arising out of SLP (C)No. 29670 of 2016)

MUKUL

... Appellant

VERSUS

SANTOSH MARTIN & ORS.

... Respondents

O R D E R

Leave granted.

We have heard the matter finally.

It is argued by the learned counsel appearing for the appellant that the appellant wants to rely upon the unregistered deed of relinquishment only for collateral purposes. He has drawn our attention to paragraphs 5 and 6 of the plaint where such a purpose is stated. It is not denied by the learned counsel for the respondent that even if the document is unregistered, it could be looked into for collateral purposes. We find that the courts below have not looked into the matter from that angle. It may also be mentioned that this issue now stands clarified by the judgment in '*Yellapu Uma Maheswari and Another v. Buddha Jagadheeswararao and Others*' [2015 (16) SCC 787].

We, thus, set aside the impugned order and direct the trial court to decide the question in the light of the observations made by us above and keeping in mind the

C. A. No. 19580/ 2017

aforesaid judgment.

The appeal stands disposed of.

....., J.  
[ A.K. SIKRI ]

....., J.  
[ ASHOK BHUSHAN ]

New Delhi;  
November 20, 2017.

ITEM NO.3

COURT NO.6

SECTION IV-A

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No. 29670/2016

(Arising out of impugned final judgment and order dated 20-04-2016 in WP No. 1534/2014 passed by the High Court of M.P. Principal Seat at Jabalpur)

MUKUL

Petitioner(s)

VERSUS

SANTOSH MARTIN & ORS.

Respondent(s)

Date : 20-11-2017 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.K. SIKRI  
HON'BLE MR. JUSTICE ASHOK BHUSHAN

For Petitioner(s)

Mr. Niraj Sharma, AOR  
Mr. Sumit Kumar Sharma, Adv.

For Respondent(s)

Mr. B. S. Banthia, AOR

UPON hearing the counsel the Court made the following  
O R D E R

Leave granted.

The appeal stands disposed of in terms of the signed  
order.

(NIDHI AHUJA)  
COURT MASTER

(MALA KUMARI SHARMA)  
COURT MASTER

[Signed order is placed on the file.]