



Suit for permanent injunction - Unregistered agreement to sell - Plaintiff cannot get the relief even for permanent injunction on the basis of such an unregistered document/agreement to sell, more particularly when the defendant specifically filed the counter-claim for getting back the possession.

[PRINT / DOWNLOAD PDF](#)

Suit for permanent [injunction](#) - Unregistered [agreement](#) to sell - Suit for permanent injunction only on the basis of an unregistered agreement to sell for restraining the defendant from disturbing plaintiffs possession in the suit property - Defendant filed a counter-claim seeking the decree of possession - Plaintiff filed a suit simplicitor for permanent injunction only being conscious of the fact that plaintiff might not succeed in getting the relief of [specific performance](#) of such [agreement to sell](#) as the same was unregistered - In a given case, an unregistered document can be used and/or considered for collateral purpose - However, plaintiff cannot get the relief indirectly which otherwise he/she cannot get in a suit for substantive relief, namely, the relief for specific performance - Therefore, the plaintiff cannot get the relief even for permanent injunction on the basis of such an unregistered document/agreement to sell, more particularly when the defendant specifically filed the counter-claim for getting back the possession - Specific Relief Act, 1963 Section 38.

[read HERE](#)

Tags: [311602](#), [Agreement](#), [Agreement to sell](#), [Counter claim](#), [Injunction](#), [RBI](#), [Specific Performance](#), [SRA S. 38](#), [Suit - Injunction](#), [Unregistered document](#)