

Transfer of Property Act, 1882 (IV of 1882) Section 53-A – There is no final finding that either the agreement to sell is forged or the defendant has no right on the above-mentioned property – Section 53A of the Transfer of Property Act, 1882, protects an agreement holder in possession of the property, with respect to the part performance of the agreement – Furthermore, if the plaintiff has any right, he is entitled to file a suit seeking possession of the property – He cannot be permitted to pray for an issuance of a decree of mandatory injunction – Civil Procedure Code, 1908 (V of 1908) Order 39, Rule 1.

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