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SUPREME COURT

Ownership Isn't Possession

Supreme Court Clarifies Property Sale Rules

Sheikh Rayees • January 18, 2025

PUBLISHED REPORT

In a landmark clarification, the Supreme Court has reiterated that holding possession of a property under an agreement to sell does not amount to ownership unless a registered sale deed is executed, as required under the Indian Registration Act, 1908. The Court emphasized that an agreement for sale, as per Section 54 of the Transfer of Property Act, 1882, neither transfers ownership nor creates any interest in the property. It...

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