

**SUPREME COURT OF INDIA**

Bhura Mogiya

Vs.

Satish Pagariya

C.A.No.2456 of 1997

(V.N.Khare and Doraiswamy Rajuu Raju JJ.)

30.03.2000

**ORDER**

The Text below is only a summarized version of the order pronounced

Respondent was tenant. Filed suit for declaration that they were recorded tenant and for possession of land if appellant were not found in possession. Entered into agreement with father of appellant for sale of land. On failure to pay full amount possession of land was delivered to appellant. On appeal Board of Revenue passed an Order of ejectment of appellant as they were not found in possession. Supreme Court held that permissible possession cannot be converted into adverse possession as its possession was by virtue of an agreement.