

Court No. - 1

Case :- WRIT - C No. - 10573 of 2023

Petitioner :- M/S Saurabh Singh Construction And Company
Thru. Proprietor Saurabh Singh Tomar Lko.

Respondent :- State Of U.P. Thru. Secy. Institutional Finance
Govt. U.P. Lko. And 2 Others

Counsel for Petitioner :- Ram Pukar Singh, Jai Prakash Narain
Jaiswal, Rashi Gupta

Counsel for Respondent :- C.S.C., Namit Sharma

Hon'ble Attau Rahman Masoodi, J.

Hon'ble Om Prakash Shukla, J.

1. *Vakalatnama* filed today by Ms. Kavita Mishra, learned counsel on behalf of respondent Nos.2 and 3 is taken on record.
2. Heard Ms. Rashi Gupta, learned counsel for the petitioner, Ms. Kavita Mishra, learned counsel for respondent Nos.2, 3- Nagar Nigam and Mr. Nishant Shukla, learned Additional Chief Standing Counsel for State-respondent No.1.
3. The petitioner by means of this petition is claiming that the demand of stamp duty on security deposit by the impugned order is incorrect and it has to be in accordance with Article 57 of Schedule 1-B of the Indian Stamp Act, 1899 as amended by State of U.P.
4. It is submitted that the controversy involved in the present matter is squarely covered by the decision of this Court in the case of **Tajveer Singh and others Vs. State of U.P. and others** reported in **1997 Allahabad Law Journal Page 285** wherein, it

has been held that on security deposit, stamp duty is payable as per Article 57 of the Schedule 1-B of the Indian Stamp Act, 1899 as amended by the State of U.P., which has been followed by this Court in **Writ Petition No.15107 (M/B) of 2020 : M/s K.R.P. Enterprises vs. State of U.P. & Ors.**

5. Learned State Counsel and Ms. Kavita Mishra, learned counsel for respondent nos.2 and 3 submitted that the controversy is covered by the judgment relied by the petitioner's counsel in the case of Tajveer Singh (supra).

6. In view of the aforesaid facts and circumstances, we **dispose of** this petition in terms of the judgment rendered in the case of **Tajveer Singh (supra)**.

(Om Prakash Shukla, J.) (Attau Rahman Masoodi, J.)

Order Date :- 6.12.2023
Shubhankar