

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 8437 OF 2015

Mytrah Vayu (Krishna) Private
Limited .. Petitioner
vs.
Chief Controlling Revenue Authority
& Ors. .. Respondents

Mr. R. Dada – Senior Advocate with Ms Soniya Putta, Mr. Sanjay Shah and Ms. Kinjal Shah for Petitioner.
Mr. V. B. Thadani – AGP for Respondent Nos. 2 and 3.

CORAM : M. S. SONAK, J.
DATE: 23 SEPTEMBER 2015

P.C. :-

- 1] Heard the learned counsel for the parties.
- 2] The following order is made with the agreement of the parties, in the presence of Mr. Bhalerao V.S., Collector of Stamps (Ahmednagar) and Mr. Sunil Kale, Law Officer I.G.R. Office, Pune :
 - (A) The impugned order dated 16 July 2015 is set aside;
 - (B) The Chief Controlling Revenue Authority, Maharashtra State, Pune, will decide revision application no. 193 of 2014 afresh after afford of opportunity of hearing to the petitioner and the respondent no. 4. There shall be no necessity of issue of any further notice to the petitioner and the respondent no. 4. The revision application no. 193 of 2014 shall be disposed of by the respondent no. 1 as expeditiously as

possible and in any case within a period of three months from the date of production of authenticated copy of this order;

(C) The petitioner shall deposit within a period of four weeks from today with the Collector of Stamps, Ahmednagar an amount of Rs.26,77,000/- (Rupees Twenty Six Lakhs Seventy Seven Thousand). This deposit is directed in view of notice dated 24 December 2014, in which it was indicated that tentatively there might be short levy of Rs.26,77,000/-;

(D) The aforesaid deposit shall be without prejudice to the contentions of the petitioner that there is no short levy and in fact excess amount has been paid. In case, it is found that there is no short levy, the Collector (Stamps) shall refund such amount to the petitioner within a period of four weeks from the date of such determination;

(E) The petitioner to appear before the respondent no. 1 on 6 October 2015 at 11.00 a.m. and produce authenticated copy of this order;

(F) All contentions of all parties are left open to be decided by the respondent no. 1;

(G) The petition is disposed of in the aforesaid terms.

(H) All concerned to act on authenticated copy of this order.

CERTIFICATE

“Certified to be true and correct copy of the original
signed Order.”