

IN THE HIGH COURT OF JUDICATURE AT
HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE
OF ANDHRA PRADESH

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W.P.No. 29063 of 2015

Between:

Sri Hotha Bhavani Sankar

... Petitioner

and

The State of Andhra Pradesh and another

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... Respondent/s

DATE OF JUDGMENT PRONOUNCED: 21.9.2015

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

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| 1 | <u>Whether Reporters of Local newspapers may be allowed to see the Judgments?</u> | <u>No</u> |
| - | | |
| 2 | <u>Whether the copies of judgment may be marked to Law Reports/Journals</u> | <u>No</u> |
| - | | |
| 3 | <u>Whether Their Ladyship/Lordship wish to see the fair copy of the Judgment?</u> | <u>No</u> |

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THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

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W.P. NO. 29063 of 2015

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ORDER:

Heard learned counsel for the parties.

2nd respondent-District Registrar issued a notice dated 27.1.2015 to the petitioner under Section 41-A of the Indian Stamp Act proposing to levy additional stamp duty and requiring the petitioner to file his objections and appear in person. The petitioner is stated to have filed a detailed objections on 5.2.2015 opposing the proposed levy of stamp duty. Thereafter the 2nd respondent passed the impugned final order directing the petitioner to pay the deficit stamp duty. In the impugned order the 2nd respondent has merely referred to the petitioner's representation having been examined in detail and it does not show any consideration of the petitioner's objections nor does it state any reasons or findings for rejecting his objections. Since the impugned order is clearly bereft of any reasons, the learned Government Pleader for

Revenue is fair enough to submit that the 2nd respondent will reconsider the matter afresh and pass a final order in accordance with law.

In view of that, the writ petition is allowed, the impugned order is set aside and the matter is remitted to the 2nd respondent for fresh consideration. The 2nd respondent shall fix a date of hearing, give a notice to the petitioner and pass a reasoned order after hearing the petitioner in accordance with law.

Miscellaneous applications, if any, shall stand closed. No order as to costs.

VILAS V. AFZULPURKAR, J

Dt. 21.9.2015
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